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HOUSE JOURNAL
of the
FIFTY-SECOND LEGISLATURE
of the
STATE OF MONTANA

VOLUME III

Held in Helena, the Seat of Government
Commencing in Regular Session January 7, 1991
and Ending April 29, 1991

HAL HARPER
Speaker of the House

JOYCE ANDRUS
Chief Clerk of the House

Published by

Montana Legislative Council

SIXTY-SECOND LEGISLATIVE DAY

Helena, Montana — House Chambers
March 22, 1991 — State Capitol

House convened at 1:20 p.m. Mr. Speaker in the Chair. Invocation by Reverend Gayle Sandholm. Pledge of Allegiance to the Flag.

Roll call. All members present except Ream, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/22/91
Correctly printed: HB 822, HB 982, HJR 45, HR 3.
Correctly engrossed: SB 293, SB 308, SB 392, SJR 19.
Correctly enrolled: HB 160, HB 193, HB 237, HB 304, HB 341, HB 347, HB 389, HB 403, HB 422, HB 507, HB 515, HB 587, HB 630, HB 654, HB 794, HB 812, HB 918, HB 920, HB 922, HJR 34.
Signed by the Speaker at 9:00 a.m., 3/22/91: HB 63, HB 83, HB 87, HB 90, HB 99, HB 105, HB 120, HB 166, HB 274, HB 774.
Delivered to the Governor for his approval at 4:00 p.m., 3/21/91: HB 425, HB 445, HB 481, HB 521, HB 529, HB 555, HB 622.
Delivered to the Governor for his approval at 10:58 a.m., 3/22/91: HB 109, HB 123, HB 137, HB 167, HB 197, HB 211, HB 269, HB 270, HB 275, HB 297, HB 313, HB 348, HB 411, HB 610, HB 779, HB 941.

APPROPRIATIONS (Bardanouve, Chairman): 3/21/91
HB 6, introduced bill, be amended as follows:

1. Page 1, line 24.
Strike: "$106,508"
Insert: "$72,208"

2. Page 4.
Following: line 15
Insert: "PRIVATE APPLICANT

Wastewater Collection and Treatment System	50,000	$150,000"

3. Page 4, line 18.
Following: "50,000"
Insert: "50,000"

4. Page 4.
Following: line 20
Strike: line 21 through line 26 in their entirety

5. Page 5.
Following: line 2
Strike: line 3 through line 11 in their entirety

6. Page 5.
Following: line 11.
Insert: "PRIVATE APPLICANT

Sun River Water System	7,500

CHINOOK, TOWN OF

Milk River Weir Replacement 200,000

BELT, TOWN OF
Sewage System Improvements 100,000

GLASGOW, TOWN OF
Glasgow Water and Wastewater 80,950

MISSOULA CITY/COUNTY HEALTH DEPARTMENT
Linda Vista Sewer Interceptor 100,000

FAIRFIELD, TOWN OF
Fairfield Waterway 14,169

(5) To the entities listed in this section, this appropriation constitutes a valid obligation of these funds for purposes of encumbering the funds within the 1993 biennium pursuant to 17-7-302."

7. Page 6, line 26 through page 10, line 3.
Strike: page 6, line 26 through page 10, line 3 in their entirety
Insert: "YELLOWSTONE COUNTY CONSERVATION DISTRICT
Streambank Reinforcement $ 100,000

JEFFERSON VALLEY CONSERVATION DISTRICT
Cereal-Legume Energy Efficient Crop
Rotations 48,677

NEIHART, TOWN OF
Neihart Water System Improvements 50,000 $150,000

EKALAKA, TOWN OF
Water Supply and Storage Project 49,975 100,000

MONTANA STATE UNIVERSITY, MONTANA WATER RESOURCES CENTER
Public Education in Water Management 100,000

STILLWATER CONSERVATION DISTRICT
Evaluation of Plastic Lining and
Fabrication Process 56,848

BROADWATER CONSERVATION DISTRICT
Irrigation Water Management
Demonstration Project 100,000

NATURAL RESOURCES AND CONSERVATION, DEPARTMENT OF, WATER MANAGEMENT BUREAU
Beaverhead County Ground Water
Study 100,000

POLSON, CITY OF
Wellhead Protection Program 76,055

THREE FORKS, TOWN OF		
Water System Improvements	100,000	
FORT SHAW IRRIGATION PROJECT		
Rehabilitation and Betterment Study	50,000	
BUTTE-SILVER BOW, GOVERNMENT OF		
Blacktail Creek Restoration	100,000	
LIBERTY COUNTY CONSERVATION DISTRICT		
Sweetgrass Hills Ground Water Study	100,000	
MISSOULA COUNTY CONSERVATION DISTRICT		
Irrigation Diversion Alternatives	85,250	
FALLON COUNTY		
Baker Lake Erosion Control and Recreation Path	15,361	
DARBY SCHOOL DISTRICT NO. 9		
Darby School Park Project	25,300	
MEAGHER COUNTY CONSERVATION DISTRICT		
South Side Canal Lining Project	37,500	62,500
NATURAL RESOURCES AND CONSERVATION, DEPARTMENT OF		
Battle Creek Storage Unit	82,000	

(4) To the entities listed in this section, this appropriation constitutes a valid obligation of these funds for purposes of encumbering the funds within the 1993 biennium pursuant to 17-7-302."

8. Page 11, line 17.
Strike: "by 51st legislature"
Following: "."
Insert: "(1)"

9. Page 12, line 4.
Following: line 3
Insert: "(2) The 50th legislature, in House Bill No. 7, Laws of 1987, approved a grant from the renewable resource development account to Eastern Sanders Conservation District for $86,300 for recharge enhancement of the Little Bitterroot Aquifer. Among the contingencies contained in the grant authorization was a requirement that a commitment be obtained from the U.S. Bureau of Reclamation for federal matching funds. It has since been determined that the federal matching funds will not be forthcoming. The grant for the above described entity is hereby authorized for $86,300, with the contingency for federal matching funding from the U.S. Bureau of Reclamation deleted. Further, the additional sampling of surface water and ground water for herbicides and pesticides must be conducted."

10. Page 14, line 15.
Following: "conservation."
Insert: "Grants to state entities from prior bienniums are reauthorized for completion of contract work."

11. Page 14, line 16.
Following: line 15
Insert: "NEW SECTION. Section 13. Funds available. It is the intent of the legislature that the water development grant program be a minimum of $1 million and the renewable resources grant program be a minimum of $1 million for the 1993 legislative session."
Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 7, introduced bill, be amended as follows:

1. Title, line 15.
Following: "DEBT;"
Insert: "TO AUTHORIZE THE ISSUANCE OF REVENUE BONDS;"

2. Page 2, line 4.
Strike: "$13,382,594"
Insert: "$7,975,583"

3. Page 2, line 22.
Following: line 21
Insert: "The principal portion of the debt service payment of the loan for the Seeley Lake-Missoula County water project may be deferred for a period of 3 years. The interest on the loan may be adjusted for the deferral."

4. Page 3, line 4.
Strike: "$1,623,720"
Insert: "$1,163,720"

5. Page 3, line 12.
Strike: "$747,808"
Insert: "$749,797"

6. Page 3, line 15.
Strike: "0%"
Insert: "3%"

7. Page 3, line 20.
Following: line 19
Insert: "GROUP E Notwithstanding the provisions of [section 5], the interest rate for the project in this group is 6% or the current bond rate, whichever is lower, for up to 30 years.

	Loan Amount
MILK CREEK WATER AND SEWER DISTRICT	
Milk Creek Gravity Sprinkler Irrigation Project	$151,000

LAKESIDE WATER AND SEWER DISTRICT
Lakeside Wastewater Facility 251,700"

8. Page 3, line 21 through page 4, line 12.
Strike: page 3, line 21 through page 4, line 12 in their entirety

9. Page 5, lines 4 through 6.
Strike: "$5,100,000" on line 4 through "$8,282,594" on line 6
Insert: "$7,975,583"

10. Page 5, line 8.
Strike: "$13,382,594"
Insert: "$7,925,583"

11. Page 7, line 8.
Strike: "3,226,900"
Insert: "3,778,028"

12. Page 7, line 9.
Following: line 8
Insert: "(If House Bill No. 648 is passed and approved, strike 3,778,028 in line 8 and insert 551,128.)"

13. Page 7.
Strike: line 21 through line 23 in their entirety

14. Page 8, line 1.
Strike: "250,000"
Insert: "272,500"

15. Page 11.
Following: line 3
Insert: "NEW SECTION. Section 8. Authorization to issue revenue bonds. (1) In addition to the authority contained in 17-5-716, the board of examiners may issue revenue bonds of the state to refund in whole or in part bonds issued to finance water development projects approved by the legislature pursuant to Title 17, chapter 5, part 7, and Title 85, chapter 1, part 6. The principal and interest on refunding bonds issued pursuant to this section are payable solely from the project or projects for which the refunded bonds were issued.

(2) The revenue bonds may be issued in an amount sufficient to refund all or a portion of the outstanding bonds, to pay costs incident to the issuance and sale of the refunding bonds, and to fund the establishment of necessary reserves. The refunding bonds must be designated as "State of Montana Water Development Revenue Bonds". All the power and authority granted to the board of examiners and provisions with respect to the issuance of bonds under Title 17, chapter 5, part 7, except for the provision pledging the coal severance tax to the payment of the bonds, apply to the issuance of the revenue bonds. In authorizing the issuance of the revenue bonds, the board of examiners shall

determine that the refunding of the outstanding bonds and the issuance of the revenue bonds are in the best interest of the state.

(3) Revenue bonds may not be issued under this section to refund bonds issued to fund a loan to a political subdivision or local government body unless the political subdivision or local government body whose loan repayments would be pledged to the payment of the refunding bonds has consented to the refunding.

(4) Revenue bonds issued pursuant to this section without the pledge of the coal severance tax to the payment of the bonds are not coal severance tax bonds or a state debt.

NEW SECTION. Section 9. Codification instruction. [Section 8] is intended to be codified as an integral part of Title 17, chapter 5, part 7, and the provisions of Title 17, chapter 5, part 7, apply to [section 8]."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 8, introduced bill, be amended as follows:

1. Page 1, line 24.
Following: "(2)"
Strike: "(a)"

2. Page 3, lines 4 through 7.
Strike: lines 4 through 7 in their entirety

3. Page 4.
Following: line 5
Insert: "BUTTE-SILVER BOW, GOVERNMENT OF
Upper Clark Fork River Basin Coordinator 60,000"

4. Page 4.
Strike: lines 6 and 7 in their entirety

5. Page 4, line 11.
Following: line 10
Insert: "STATE LANDS, DEPARTMENT OF
Well Assessment and Abandonment 300,000"

6. Page 4, lines 21 through 24.
Strike: lines 21 through 24 in their entirety

7. Page 4.
Following: line 26
Insert: "YELLOWSTONE COUNTY
Yellowstone Co. LIS/GIS Project 50,000

MSU BIOLOGY DEPARTMENT
Trout Stream Restoration 45,500

MONTANA SALINITY CONTROL ASSOCIATION
Supplemental Funding for Soil and Water Nonpoint Source Pollution Control and Management 62,500

(3) To the entities listed in this section, this appropriation constitutes a valid obligation of these funds for purposes of encumbering the funds within the 1993 biennium pursuant to 17-7-302."

8. Page 5, line 24.
Following: line 23
Insert: "(5) The recipient of the water, air, soils testing, and evaluation center (WASTEC) grant shall consider the pilot plant treatment of contaminated water from the Berkeley pit project and the detoxification of acid mine drainage from the Berkeley pit waters project that were submitted for consideration as reclamation and development grants projects during the 52nd legislature."
Renumber: subsequent subsection

9. Page 6, line 7.
Following: "conservation."
Insert: "Grants to state entities from prior bienniums are reauthorized for completion of contract work."

10. Page 6, line 9.
Following: "to the"
Strike: "grants"
Following: "development"
Insert: "grants"

11. Page 6, line 12.
Following: line 11
Insert: "NEW SECTION. Section 7. Funds available. It is the intent of the 52nd legislature that the funds available for the reclamation and development grants program for the 1993 legislative session be a minimum of $3 million."
Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 9, introduced bill, be amended as follows:

1. Page 3, line 2.
Strike: "50,000"
Insert: "73,400"

2. Page 3, line 25.
Following: line 24
Insert: "Lewistown Arts Center Operational Support 1,500"

3. Page 4, line 24.
Strike: "10,000"

Insert: "8,767"

4. Page 4, line 25.
Strike: "20,000"
Insert: "17,534"

5. Page 4, line 26.
Strike: "25,000"
Insert: "21,917"

6. Page 4, line 27.
Strike: "10,000"
Insert: "8,767"

7. Page 4, line 28.
Strike: "15,000"
Insert: "13,150"

8. Page 5, line 1.
Strike: "20,000"
Insert: "17,534"

9. Page 5, line 2.
Strike: "15,000"
Insert: "13,150"

10. Page 5, line 3.
Strike: "10,000"
Insert: "8,767"

11. Page 5, line 4.
Strike: "20,000"
Insert: "17,534"

12. Page 5, line 7.
Strike: "25,000"
Insert: "21,918"

13. Page 5, line 8.
Strike: "19,770"
Insert: "17,332"

14. Page 6, lines 8 and 9.
Strike: lines 8 and 9 in their entirety

15. Page 7, line 2.
Strike: "2,000"
Insert: "4,000"

16. Page 7, line 12.
Following: "House"
Insert: "or Director"

17. Page 7, lines 13 and 14.
Strike: lines 13 and 14 in their entirety

18. Page 7, line 19.
Strike: line 19 in its entirety

19. Page 7, line 20.
Strike: "1,000"
Insert: "3,000"

20. Page 7, line 24.
Strike: "2,500"
Insert: "4,000"

21. Page 7, line 25.
Following: line 24
Insert: "Museum of the Northern

Great Plains	Visions From the Land	10,000
Old Trail Museum	Jesse Gleason Studio Acquisition	5,000
Helena Arts Council	Expansion of Holter Museum of Art Education Program	5,000
Helena Arts Council	Expansion of Holter Museum Endowment Project	5,000
Archie Bray Foundation	Save the Beehives - Historic Renovation Project	5,000
Archie Bray Foundation	Endowment Establishment	5,000"

22. Page 8, line 3.
Following: line 2
Insert: "(5) The amount of $150,000 is appropriated to the Montana arts council from money that may revert from appropriations made in [section 1(2)] to match national endowment for the arts funds. The appropriation in this subsection may be used only for rural and other underserved programs throughout the state."

23. Page 8, line 4.
Following: "[section 1(2)]"
Insert: "less money appropriated in [section 1(5)]"

And, as amended, do pass. Report adopted.

HB 10, introduced bill, be amended as follows:

1. Page 4, line 5.
Following: "and"
Strike: "$600,000"
Insert: "$550,000"

2. Page 6, line 8.
Following: "appropriated"
Strike: "$126,000"
Insert: "$235,000"

3. Page 6, lines 13 and 14.
Strike: "identifying energy conservation measures."
Insert: "developing a program for retrofitting local government buildings with energy conservation measures, similar to the state building energy conservation program established by Title 90, chapter 4, part 6, for state buildings. Priority must be given to developing a self-sustaining local government building energy conservation program. The program may be based upon mechanisms that include but are not limited to leveraging private and public funds, selling the energy savings to utilities, pooling groups of local government facilities into larger retrofit packages for financing or sale to utilities, and working with the department to pool state and local government retrofit packages for sale to utilities. The department shall submit to the 53rd legislature a report that is based upon the work completed by the local government entity and that includes options and recommendations for a self-sustaining local government building conservation program and the legislation necessary to implement the program. The department shall also provide general technical assistance to local jurisdictions and award matching grants for specific energy conservation demonstration projects that offer opportunities for long-term energy savings."

4. Page 8, line 7.
Following: "appropriated"
Strike: "$700,000"
Insert: "$650,000"

And, as amended, do pass. Report adopted.

HB 923, introduced bill, be amended as follows: 3/22/91

Title, line 13.
Strike: "AND"

1. Title, line 14.
Following: "MCA"
Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 50, line 22.
Following: line 21
Insert: "NEW SECTION. Section 25. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):
3/14/91

SB 53, third reading copy, be amended as follows:

1. Title, line 8.
Following: "~~GAMES~~"
Insert: "; AND LEGALIZING THE DICE GAME COMMONLY KNOWN AS SHAKE-A-DAY"

2. Page 1, line 12.
Following: "~~game~~"
Insert: "or in a shake-a-day game"

3. Page 1, line 14.
Following: ":"
Insert: ":"

4. Page 1, line 15.
Following: "~~(a)~~"
Insert: "(a)"

5. Page 1, line 21.
Strike: "."
Insert: "; or"

6. Page 2, line 12.
Following: line 11
Insert: "(b) play the dice game commonly known as shake-a-day, in which a customer may once each day pay an amount of money predetermined by the establishment, but not more than 50 cents, and shake a number of dice predetermined by the establishment in an attempt to roll a certain combination simulating a poker hand predetermined by the establishment and, if the combination is rolled, win all money paid to play the game since the last winning combination was rolled. The establishment may, before a game begins, limit the amount that will be won and use the remaining money played on that game to start the pot for the next game, thus enhancing the incentive to play the next game in the early stages of the next game. All money paid to play games must be paid out as winnings."

And, as amended, be concurred in. Report adopted.

HUMAN SERVICES AND AGING (Russell, Chairman): 3/21/91
HB 676, introduced bill, be amended as follows:

1. Title, line 7.
Following: "FROM THE
Insert: "state share of the"

2. Title, lines 8 and 9.
Strike: "AND FROM" on line 8 through "MACHINE" on line 9

3. Title, lines 10 and 11.
Strike: "AND GENERAL FUND LOAN TO INITIALLY FUND THE PROGRAM"

4. Title, line 11.
Strike: "SECTIONS"
Insert: "SECTION"
Strike: "AND"

5. Title, line 12.
Strike: "23-5-612"
Strike: "AN"
Strike: "DATE"
Insert: "DATES"

6. Page 2, line 5.
Strike: "and"

7. Page 2, line 7.
Strike: "."
Insert: ";"

8. Page 2.
Following: line 7
Insert: "(6) criteria for determining those persons qualified to receive treatment and rehabilitation for problem and compulsive gambling, including a definition of problem and compulsive gambling, and the provision of treatment and rehabilitation services based upon ability to pay; and

(7) rules for the licensing of persons providing treatment and rehabilitation for persons suffering from problem and compulsive gambling."

9. Page 2, line 18.
Strike: "Problem"
Insert: "Design and implementation of problem"

10. Page 2, line 19 through line 9 on page 3.
Following: "(1)" on line 19
Strike: the remainder of line 19 through "program" on line 9
Insert: "The department shall design and develop a problem and compulsive gambling program. The purpose of the program is to provide for the prevention and treatment of problem and compulsive gambling in Montana. In designing and developing the program, the department shall:

(a) study similar programs in other states;

(b) develop a statewide plan for addressing problem and compulsive gambling;

(c) study and adopt rules necessary to administer the program; and

(d) develop priorities for funding services and criteria for distributing program funds.

(2) The department shall implement and administer the program for problem and compulsive gambling. In administering the program, the department shall:

(a) make services available as provided in [section 3];

(b) monitor the expenditure of funds by agencies and organizations receiving program funding; and

(c) evaluate the effectiveness of services provided through the program

11. Page 4, lines 15 through 17.
Strike: "The following" on line 15 through "2%" on line 17
Insert: "One-half of 1%"

Page 4, line 18.
Following: "machines"
Insert: ","
Following "23-5-610"
Insert: ","

12. Page 4, lines 18 and 19.
Strike: "; and"
Insert: "must be deposited into the account."

13. Page 4, lines 20 and 21.
Strike: lines 20 and 21

14. Page 4, line 25 through line 1 on page 5.
Following: "this purpose" on line 25
Strike: the remainder of line 25 and all of line 1
Insert: "revert to the general fund on June 30 of each odd-numbered year."

15. Page 5, line 23.
Strike: "forward"
Strike: "2%"
Insert: ":

(i) segregate one-third"

16. Page 5, line 24.
Following: "(3)"
Insert: "from the whole of those revenues;

(ii) subtract 0.5% from that one-third;

(iii) forward the 0.5%"

17. Page 6, line 1.
Following: "program"
Insert: "; and

(iv) forward the remainder of the one-third to the general fund"

18. Page 6, line 3.
Following: "~~the~~"
Insert: "two-thirds of the"

19. Page 6, lines 4 through 6.
Strike: "as follows:" on line 4 through "two-thirds" on line 6

20. Page 6, line 10.

Strike: "the net"

21. Page 6, line 12.
Following: "~~two-thirds~~"
Insert: "two-thirds"

22. Page 6, line 16 through line 20 on page 7.
Following: line 15
Strike: section 8 in its entirety
Renumber: subsequent sections

23. Page 7, line 21 through line 11 on page 8.
Following: line 20
Strike: section 9 in its entirety
Renumber: subsequent sections

24. Page 8, line 13.
Strike: "$750,000"
Insert: "$25,000"

25. Page 8, line 15.
Strike: "administer"
Insert: "design and develop"

26. Page 8, line 21.
Strike: "date"
Insert: "dates"

27. Page 8, lines 21 and 22.
Strike: "[This act] is effective July 1, 1991."
Insert: "(1) [Sections 1, 2(1), 4 through 7, 9 and this section] are effective on passage and approval.
(2) [Section 8] is effective July 1, 1991.
(3) [Sections 2(2) and 3] are effective July 1, 1992."

And, as amended, do pass. Report adopted.

JUDICIARY (Strizich, Chairman): 3/21/91
SB 154, third reading copy, be amended as follows:

1. Title, line 10.
Following: "ACTIONS"
Strike: "OTHER THAN OPERATION OF A 911 EMERGENCY TELEPHONE SERVICE"

2. Page 3, line 2,
Strike: subsection (4) in its entirety
Renumber: subsequent subsections

And, as amended, be concurred in. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Squires, Chairman): 3/21/91
SB 420, third reading copy, be amended as follows:

1. Page 1, lines 24 and 25.
Following: first "OF" on line 24
Insert: "at least"
Following: "$500"
Strike: remainder of line 24 through "CLAIM" on line 25

And, as amended, be concurred in. Report adopted.

TAXATION (Harrington, Chairman): 3/21/91
HB 518, introduced bill, be amended as follows:

1. Page 2, line 20.
Strike: "substantially as follows"
Insert: "with at least the following information"

2. Page 3, line 5.
Strike: "based upon"
Insert: "after considering"

And, as amended, do pass. Report adopted.

HB 693, introduced bill, be amended as follows:

1. Page 4, line 12.
Strike: "lifetime"
Insert: "annual"

2. Page 5, line 24.
Following: "36"
Insert: "consecutive"
Following: "months."
Insert: "A tax credit may not be granted to an employer or its successor within 10 years of the last consecutive credit claimed."

And, as amended, do pass. Report adopted.

HB 793, introduced bill, be amended as follows:

1. Page 3, line 2.
Strike: "transfer"
Insert: "reallocate"

2. Page 3, lines 8 through 19.
Strike: subsections (a) through (d) in their entirety
Insert: "(a) The county treasurer shall first allocate the coal gross proceeds taxes to the taxing units within the county in the same proportion that all other property tax proceeds were distributed in the county in fiscal year 1990.

(b) If the allocation in subsection (5)(a) exceeds the total budget for a taxing unit, the commissioners may direct the county treasurer to allocate the excess to any taxing unit within the county.

(6) The board of trustees of an elementary or high school district may reallocate the coal gross proceeds taxes distributed to the district by the county treasurer under the following conditions:

(a) The district shall first allocate the coal gross proceeds taxes to the budgeted funds of the district in the same proportion that all other property tax proceeds were distributed in the district in fiscal year 1990.

(b) If the allocation under subsection (6)(a) exceeds the total budget for a fund, the trustees may allocate the excess to any budgeted fund of the school district."

3. Page 6, line 23.
Strike: "transfer"
Insert: "reallocate"

4. Page 7, lines 4 through 16.
Strike: subsections (a) through (d) in their entirety
Insert: "(a) The county treasurer shall first allocate the coal gross proceeds taxes to the taxing units within the county in the same proportion that all other property tax proceeds were distributed in the county in fiscal year 1990.

(b) If the allocation in subsection (6)(a) exceeds the total budget for a taxing unit, the commissioners may direct the county treasurer to allocate the excess to any taxing unit within the county.

(7) The board of trustees of an elementary or high school district may reallocate the coal gross proceeds taxes distributed to the district by the county treasurer under the following conditions:

(a) The district shall first allocate the coal gross proceeds taxes to the budgeted funds of the district in the same proportion that all other property tax proceeds were distributed in the district in fiscal year 1990.

(b) If the allocation under subsection (7)(a) exceeds the total budget for a fund, the trustees may allocate the excess to any budgeted fund of the school district."

And, as amended, do pass. Report adopted.

HB 822, introduced bill, do pass. Report adopted.
HB 868, introduced bill, be amended as follows:

1. Page 1, line 25.
Following: "coal"
Insert: "for each mine"

2. Page 2, line 1.
Following: the second "for"
Insert: "each mine in"

3. Page 5, lines 8 through 10.
Strike: "excess" on line 8 through "15-23-703(6)(a)"
Insert: "coal gross proceeds redistribution account established in [section 4]"

4. Page 5, line 15.
Following: "collected"
Insert: "by each county"

5. Page 5, line 16.
Following: "15-23-703(4)"
Insert: "for that county"

6. Page 5, line 18.
Following: "difference"
Insert: "from the state special revenue account established in [section 4]"

7. Page 5, line 20.
Strike: "Any"
Insert: "If the"
Strike: "by which the total amount"

8. Page 6, line 2.
Strike: "amount"
Insert: "amounts of each taxing unit"

9. Page 6, lines 2 and 3.
Strike: "distribution" on line 2 through "county" on line 3
Insert: "shortage amounts of all taxing units"

10. Page 6, line 4.
Following: the first "percentage"
Insert: "for each taxing unit"
Following: the second "percentage"
Insert: "for each taxing unit"

11. Page 6, line 11.
Following: "amount"
Insert: "each taxing unit in"

12. Page 6, line 14.
Strike: "subsections (2) and (3)"
Insert: "subsection (3)(b)"

13. Page 6.
Following: line 15
Insert: "NEW SECTION. Section 4. Coal gross proceeds redistribution account. (1) There is within the state special revenue fund a coal gross proceeds redistribution account.

(2) All money received from county treasurers as provided in 15-23-703(6)(a) must be deposited by the department into the coal gross proceeds redistribution account for redistribution as provided in [section 3]."
Renumber: subsequent sections

14. Page 8, lines 9 and 12.
Following: "1"
Insert: ", 3,"

Strike: "3"
Insert: "4"

And, as amended, do pass. Report adopted.

HB 947, third reading copy, be amended as follows:

1. Page 1, line 10.
Following: "taxes and"
Insert: "special"

And, as amended, do pass. Report adopted.

SB 279, third reading copy, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/21/91

HB 146, introduced by Wanzenried
HB 191, introduced by Measure
HB 203, introduced by S. Rice
HB 260, introduced by Barnhart
HB 290, introduced by Benedict
HB 421, introduced by Hoffman
HB 471, introduced by R. Johnson
HB 530, introduced by Brooke
HB 552, introduced by Cromley
HB 655, introduced by Grady
HB 741, introduced by Cromley
HB 771, introduced by Foster
HB 840, introduced by Grady
HJR 16, introduced by Gervais

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/21/91

HB 209, introduced by Wallin
HB 228, introduced by Larson
HB 303, introduced by Bradley
HB 580, introduced by Schye
HB 853, introduced by Scott
HB 888, introduced by L. Nelson

HB 407, introduced by Bradley, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted on 3/21/91 to the House with the following vote:

YEAS - 47
NAYS - 2

MOTIONS

Representative Driscoll moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 782. Motion carried.

Representative Driscoll moved SB 8 be taken from third reading and placed on second reading. Motion carried.

Representative Driscoll moved HB 1003 be taken from the Committee on Appropriations and rereferred to the Committee on Taxation. Motion carried.

Representative Driscoll moved all necessary rules be suspended to allow all Appropriations bills to be placed on second reading and, if passed, on third reading by the 67th legislative day. Motion carried.

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the conference committee on Senate amendments to HB 782:

Representative Hansen, Chairman
Representative Kilpatrick
Representative Grady

ANNOUNCEMENTS

Mr. Speaker introduced Carrie Benedict, daughter of Representative Benedict, who will be serving as a House page.

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 8:30 a.m., Saturday, March 23, 1991. Motion carried.

House adjourned at 1:30 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

SIXTY-THIRD LEGISLATIVE DAY

Helena, Montana
March 23, 1991

House Chambers
State Capitol

House convened at 8:40 a.m. Mr. Speaker in the Chair. Invocation by Representative Spring. Pledge of Allegiance to the Flag.

Roll call. All members present except Galvin, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the fifty-eighth and fifty-ninth legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/23/91

Correctly printed: HB 6, HB 7, HB 8, HB 9, HB 10, HB 518, HB 676, HB 693, HB 731, HB 778, HB 793, HB 866, HB 868, HB 889, HB 923, HB 947, HB 956.

Correctly enrolled: HB 60, HB 107, HB 113, HB 230, HB 236, HB 258, HB 331, HB 379, HB 413, HB 420, HB 429, HB 462, HB 863.

Examined by the sponsor and found to be correct:

HB 60 - Harrington
HB 107 - J. Johnson
HB 113 - Lee
HB 160 - Gilbert
HB 230 - Larson
HB 236 - Gilbert
HB 237 - Ellison
HB 258 - Bachini
HB 304 - Clark
HB 331 - Kilpatrick
HB 341 - Bradley
HB 347 - Gervais
HB 379 - Brooke
HB 389 - Gould
HB 403 - Spring
HB 413 - Connelly
HB 420 - J. Rice
HB 429 - Kasten
HB 462 - Peck
HB 507 - Cobb
HB 515 - Lee
HB 587 - R. Johnson
HB 630 - McCulloch
HB 812 - Wanzenried
HB 863 - D. Brown
HB 918 - Southworth
HB 920 - Darko
HJR 18 - Harrington
HJR 34 - Stickney

Signed by the Speaker at 2:50 p.m., 3/22/91: HB 118, HB 153, HB 193, HB 232, HB 279, HB 286, HB 295, HB 296, HB 307, HB 392, HB 422, HB 424, HB 436, HB 479, HB 537, HB 562, HB 663, HB 675,

HB 794, HB 848, HB 902, HB 922, HJR 7, HJR 33, SB 3, SB 122, SB 228, SB 305, SB 334, SB 350, SB 357, SB 358, SB 360, SB 367, SB 371, SB 424, SB 432, SB 433.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (L. Nelson, Chairman):
3/22/91

SB 409, third reading copy, be amended as follows:

1. Title, lines 5 through 7.
Following: the second "ACT" on line 5
Strike: remainder of line 5 through "ELIMINATING" on line 7
Insert: "CLARIFYING THE PROCEDURE FOR FORECLOSING ON"

2. Title, line 9.
Strike: "SECTIONS"
Insert: "SECTION"

3. Title, lines 10 and 11.
Strike: "77-6-401," on line 10
Following: "77-6-403,"
Strike: remainder of line 10 through "77-6-402," on line 11

4. Page 1, line 14 through page 2, line 7.
Strike: section 1 in its entirety
Renumber: subsequent sections.

5. Page 2, line 13.
Strike: "the assignee"
Insert: "a person"

6. Page 2, lines 14 and 15.
Following: "conveyance the" on line 14
Strike: remainder of line 14 through "assignment" on line 15
Insert: "pledgor's or mortgagor's leasehold interest"

7. Page 2, line 16.
Strike: "the assignee"
Insert: "that person,"

8. Page 2, line 19.
Following: "lease."
Insert: "To authorize transfer of a lease, a decree of foreclosure must specifically refer to the lease or the leased premises, but neither the board nor the department is required to be named as a party to the action. The plaintiff shall, however, file a copy of the complaint with the department at the time it is filed with the court."

9. Page 2, line 24 through page 3, line 13.
Strike: sections 3 and 4 in their entirety
Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

SJR 23, third reading copy, be concurred in. Report adopted.

APPROPRIATIONS (Bardanouve, Chairman): 3/22/91
HB 20, introduced bill, do pass. Report adopted.
HB 30, introduced bill, do pass. Report adopted.
HB 145, introduced bill, do pass. Report adopted.
HB 234, introduced bill, do pass. Report adopted.
HB 298, introduced bill, do pass. Report adopted.
HB 321, introduced bill, do pass. Report adopted.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman): 3/22/91
HB 46, introduced bill, be amended as follows:

1. Title, lines 5 and 6.
Strike: "ESTABLISHING A BUSINESS REGISTRATION AND LICENSING SYSTEM;"

2. Title, line 8.
Strike: "30-16-202, AND 30-16-203,"
Insert: "AND 30-16-201,"

3. Title, lines 8 and 9.
Strike: "REPEALING SECTION 30-16-201, MCA;"

4. Title, line 9.
Following: "PROVIDING"
Insert: "AN IMMEDIATE"
Strike: "DATES"
Insert: "DATE"

5. Page 1, lines 11 through 22.
Strike: statement of intent in its entirety

6. Page 2, line 2 through page 3, line 11.
Following: "~~to:~~" on page 2, line 2
Strike: the remainder of page 2, line 2 through "distributor" on page 3, line 11
Insert: "The purposes of this chapter are to:
(1) eliminate"

7. Page 3, line 14.
Strike: "(c)"
Insert: "(2)"
Strike: "streamlining"
Insert: "streamline"
Strike: "minimizing"
Insert: "minimize"

8. Page 3, line 16.
Following: "procedures;"
Strike: "and"

9. Page 3, line 17.
Strike: "(d)"
Insert: "(3)"
Strike: "distributing"
Insert: "distribute"

10. Page 3, lines 18 through 20.
Following: "licensing" on line 18
Strike: remainder of line 18 through "Montana" on line 20
Insert: "; and

(4) provide a convenient, accessible, and timely system for the business community to acquire and maintain the necessary state registrations and licenses to conduct business"

11. Page 3, line 25.
Strike: "review policies and rules adopted by the department"
Insert: "assist the department"

12. Page 4, line 11.
Strike: "and"
Following: "~~80~~"
Insert: "and Title 80,"

13. Page 4, lines 14 through 17.
Strike: subsection (4) in its entirety
Renumber: subsequent subsections

14. Page 4, line 24 through page 6, line 22.
Strike: page 4, line 24 through page 6, line 22 in their entirety
Insert: "Section 3. Section 30-16-201, MCA, is amended to read:

"30-16-201. Designation of small business licensing coordination center -- duties of center. The ~~governor shall designate an agency to~~ department of commerce shall administer a small business licensing coordination center. The small business licensing coordination center shall:

(1) document and analyze current licensing requirements, fees, and procedures;

(2) recommend elimination of unnecessary licensing requirements, administrative procedures, or forms or parts of forms that can be eliminated in the public interest;

(3) recommend efficient and effective improvements in the administration and enforcement of licensing laws, including gathering of information that facilitates the development of a permanent master license certificate;

(4) recommend revisions in the license fee structure to distribute the cost of licenses equitably and to provide financing for continuing improvements in licensing administration and enforcement;

(5) develop and upon request distribute information concerning state requirements for starting and operating a business in Montana;

(6) provide assistance to business enterprises to facilitate their compliance with state licensing requirements;

(7) maintain a supply of license and permit forms or applications for all licenses and actively assist the ~~businessman~~ business community in answering application questions;

(8) maintain a master list of the business types existing in the state and a corresponding list of the licenses or permits needed to operate or start that type of business;

(9) maintain a copy of the Administrative Rules of Montana in order to provide an applicant with the basic rules of any agency with regard to licensing;

(10) encourage agencies to provide informational brochures through the center, especially in the case of complex licensing procedures;

(11) maintain contact with licensing agencies in order to enable the center to assist an applicant with setting up appointments or otherwise facilitate the application process;

(12) perform other administrative tasks delegated to the center to improve state business license administration; and

(13) on January 4, 1993, present a report to the legislature containing its analysis and recommendations as required in subsections (1) through (4)."""

15. Page 7, line 2.
Following: "includes"
Insert: "representatives of"

16. Page 7, line 7.
Following: "industry,"
Insert: "a representative of the public service commission, the secretary of state,"

17. Page 8, line 11 through page 9, line 4.
Strike: sections 7 through 9 in their entirety
Renumber: subsequent sections

18. Page 9, lines 5 and 6.
Strike: "(1) [Section 3] does"
Insert: "[Sections 1 through 6] do"

19. Page 9, lines 9 through 12.
Strike: subsection (2) in its entirety

20. Page 9, line 20.
Page 9, line 22.
Strike: "3"
Insert: "4"

21. Page 9, lines 23 and 24.
Strike: "dates"
Insert: "date"
Strike: "(1) [Section 3] and this section are"
Insert: "[This act] is"

22. Page 9, line 25 through page 10, line 1.

Strike: subsection (2) in its entirety

And, as amended, do pass. Report adopted.

HB 795, introduced bill, be amended as follows:

1. Title, line 4.
Following: "ACT"
Insert: "CREATING THE MONTANA COMMUNITY INFRASTRUCTURE ACT;"

2. Title, line 11.
Following: ";"
Strike: "AND"
Insert: "APPROPRIATING MONEY IN THE SPECIAL REVENUE ACCOUNT TO THE DEPARTMENT OF COMMERCE FOR USE BY LOCAL GOVERNMENTS FOR ENGINEERING STUDIES FOR LOCAL GOVERNMENT INFRASTRUCTURE PROJECTS;"

Title, line 12.
Following: "17-5-706,"
Insert: "AND"

3. Title, lines 13 and 14.
Following: "17-5-719" on line 13
Strike: remainder of line 13 through "85-1-620" on line 14

4. Title, line 14.
Following: "MCA"
Insert: "; AND PROVIDING AN EFFECTIVE DATE"

5. Page 2, line 10.
Strike: "75%"
Insert: "50%"

6. Page 2, lines 11 and 12.
Following: "fund" on line 11
Strike: remainder of line 11 through "legislature" on line 12

7. Page 2, line 16.
Following: "fund"
Insert: "must be deposited in a special revenue account. Up to $10 million a year"

8. Page 2, line 18.
Following: "projects"
Insert: "and bonds issued pursuant to Title 17, chapter 5, part 16, for projects approved by the legislature to receive a subsidy"

9. Page 6, line 11.
Following: "government,"
Strike: "school district,"
Insert: "or"

10. Page 6, lines 11 and 12.
Following: the second "district" on line 11
Strike: remainder of lines 11 and 12 in their entirety

11. Page 6, line 20.
Following: "(b)"
Insert: "sanitary or storm"

12. Page 6, line 21.
Following: ";"
Insert: "or"

13. Page 6, line 22 through page 7, line 1.
Following: "(d)"
Strike: remainder of line 22 through "interest" on page 7, line 1
Insert: "bridges"

14. Page 7, line 10.
Following: "."
Insert: "The department may recommend either that the projects be funded through the issuance of coal severance tax bonds or that the projects be funded through bonds issued pursuant to Title 17, chapter 5, part 16, and receive a subsidy."

15. Page 8, line 9.
Following: "legislature"
Insert: "or appropriate money from the special revenue account established in 17-5-703(3) for a subsidy on projects authorized to receive the subsidy as provided in subsection (1)"

16. Page 9, line 16 through page 22, line 9.
Strike: sections 12 through 18 in their entirety
Renumber: subsequent section

17. Page 22, line 10.
Following: line 9
Insert: "NEW SECTION. Section 12. Appropriation. The money accumulated in the special revenue account created in 17-5-703(3) is appropriated to the department of commerce to be used for engineering studies for eligible projects under [section 7]."
Renumber: subsequent section

18. Page 22, line 15.
Following: line 14
Insert: "NEW SECTION. Section 14. Effective date. [This act] is effective July 1, 1991."

And, as amended, do pass. Report adopted.

FISH AND GAME (Elliott, Chairman): 3/19/91
HB 583, introduced bill, be amended as follows:

1. Title, lines 4 through 6.

Following: "ACT" on line 4
Strike: remainder of line 4 through "FEES;" on line 6

2. Title, line 7.
Following: "B-11-W"
Insert: "NONRESIDENT WHITETAIL DEER COMBINATION"
Following: "FEE;"
Strike: "AND"

3. Title, line 8.
Following: "87-2-504"
Strike: ", 87-2-505, 87-2-510,"
Insert: "AND"

4. Title, line 9.
Strike: "AND 87-2-711,"
Following: "MCA"
Insert: "; AND PROVIDING A DELAYED EFFECTIVE DATE AND A TERMINATION DATE"

5. Page 1, line 12 through page 3, line 24.
Strike: sections 1 and 2 in their entirety
Renumber: subsequent section

6. Page 4, line 4.
Strike: "6,167"
Insert: "5,600"

7. Page 5, line 20 through page 6, line 16.
Strike: section 4 in its entirety
Renumber: subsequent section

8. Page 9, line 4.
Following: line 3
Insert: "NEW SECTION. Section 4. Effective date -- termination. [This act] is effective March 1, 1992, and terminates March 1, 1994."
Renumber: subsequent section

9. Page 9, lines 5 and 7.
Strike: "5"
Insert: "2"

And, as amended, do pass. Report adopted.

HB 623, introduced bill, do pass. Report adopted. 3/22/91
HB 1002, introduced bill, be amended as follows:

1. Page 2, line 11.
Strike: "resides on and"

2. Page 3, line 13.
Following: "A"
Insert: "hunting"

3. Page 7, lines 14 and 15.
Following: "board" on line 14
Strike: remainder of line 14 through "river" on line 15

And, as amended, do pass. Report adopted.

SB 362, third reading copy, be amended as follows:

1. Title, line 9.
Following: "DUTIES;"
Insert: "APPLYING PEACE OFFICER EMPLOYMENT, EDUCATION, AND CERTIFICATION STANDARDS TO PARK RANGERS;"

2. Title, line 13.
Following: "SECTIONS"
Insert: "7-32-303,"

3. Page 2, line 21.
Following: line 20
Insert: "(3) It is unlawful and a misdemeanor punishable as provided in subsection (2) to refuse to exhibit for inspection any park permit, proof of age, or proof of residency upon request by a fish and game warden, park ranger, or peace officer."
Renumber: subsequent subsections

4. Page 3, line 16.
Following: "in"
Insert: "chapters 1 and 2 of"

5. Page 3, line 19 through page 4, line 9.
Strike: subsections (2)(a) through (2)(c) in their entirety
Renumber: subsequent subsections

6. Page 4, line 13.
Following: "against"
Insert: "chapters 1 and 2 of"

7. Page 4, line 22.
Following: "in"
Insert: "chapters 1 and 2 of"

8. Page 9, line 21.
Following: line 20
Insert: "Section 10. Section 7-32-303, MCA, is amended to read:

"7-32-303. Peace officer employment, education, and certification standards. (1) For purposes of this section, unless the context clearly indicates otherwise, "peace officer' means a deputy sheriff, undersheriff, police officer, highway patrol officer, fish and game warden, park ranger, campus security officer, or airport police officer.

(2) No sheriff of a county, mayor of a city, board, commission, or other person authorized by law to appoint peace officers in this state shall appoint any person as a peace officer

who does not meet the following qualifications plus any additional qualifying standards for employment promulgated by the board of crime control:

(a) be a citizen of the United States;

(b) be at least 18 years of age;

(c) be fingerprinted and a search made of the local, state, and national fingerprint files to disclose any criminal record;

(d) not have been convicted of a crime for which he could have been imprisoned in a federal or state penitentiary;

(e) be of good moral character, as determined by a thorough background investigation;

(f) be a high school graduate or have passed the general education development test and have been issued an equivalency certificate by the superintendent of public instruction or by an appropriate issuing agency of another state or of the federal government;

(g) be examined by a licensed physician, who is not the applicant's personal physician, appointed by the employing authority to determine if the applicant is free from any mental or physical condition that might adversely affect performance by the applicant of the duties of a peace officer;

(h) successfully complete an oral examination conducted by the appointing authority or its designated representative to demonstrate the possession of communication skills, temperament, motivation, and other characteristics necessary to the accomplishment of the duties and functions of a peace officer; and

(i) possess or be eligible for a valid Montana driver's license.

(3) At the time of appointment a peace officer must take a formal oath of office.

(4) Within 10 days of the appointment, termination, resignation, or death of any peace officer, written notice thereof must be given to the board of crime control by the employing authority.

(5) (a) Except as provided in subsections (b) and (c) of this subsection, it is the duty of an appointing authority to cause each peace officer appointed under its authority to attend and successfully complete, within 1 year of the initial appointment, an appropriate peace officer basic course certified by the board of crime control. Any peace officer appointed after September 30, 1983, who fails to meet the minimum requirements as set forth in subsection (2) or who fails to complete the basic course as required by this subsection forfeits the position, authority, and arrest powers accorded a peace officer in this state.

(b) A peace officer who has been issued a basic certificate by the board of crime control and whose last date of employment as a peace officer was less than 36 months prior to the date of his present appointment as a peace officer is not required to fulfill the basic educational requirements of subsection (5)(a). If such peace officer's last date of employment as a peace officer was 36 or more but less than 60 months prior to the date of his present employment as a peace officer, he may satisfy his basic educational requirements as set forth in subsection (5)(c).

(c) A peace officer under the provisions of subsection (5)(b) or a peace officer who has completed a basic peace officer's course in another state and whose last date of employment as a peace officer was less than 60 months prior to the date of his present appointment as a peace officer may, within 1 year of his present employment or initial appointment as a peace officer within this state, satisfy his basic educational requirements by successfully passing a basic equivalency test administered by the Montana law enforcement academy and successfully completing a legal training course conducted by the academy. If the peace officer fails the basic equivalency test, he must complete the basic course within 120 days of the date of the test.

(6) The board of crime control may extend the 1-year time requirements of subsections (5)(a) and (5)(c) upon the written application of the peace officer and the appointing authority of the officer. The application must explain the circumstances which make the extension necessary. Factors which the board may consider in granting or denying the extension include but are not limited to illness of the peace officer or a member of his immediate family, absence of reasonable access to the basic course or the legal training course, and an unreasonable shortage of personnel within the department. The board may not grant an extension to exceed 180 days.

(7) A peace officer who has successfully met the employment standards and qualifications and the educational requirements of this section and who has completed a 1-year probationary term of employment shall, upon application to the board of crime control, be issued a basic certificate by the board, certifying that the peace officer has met all the basic qualifying peace officer standards of this state.""

Renumber: subsequent sections

9. Page 13, line 14.
Following: "in"
Insert: "chapters 1 and 2 of"

And, as amended, be concurred in. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman): 3/22/91
HB 579, introduced bill, be amended as follows:

1. Title, line 9.
Strike: "THAT"
Insert: "PROCEDURES FOR AUTOMATED HANDLING OF"

2. Title, line 10.
Strike: "CONTAIN BAR CODING"

3. Title, line 11.
Following: "ISSUED"
Insert: "AND AUTHORIZING AN ADDITIONAL 60-DAY PERIOD"

4. Title, lines 18 and 19.

Following: "THE" on line 18
Strike: remainder of line 18 through "COMMITTEE" on line 19
Insert: "DEPARTMENT OF JUSTICE"

5. Title, line 19.
Following: "1-2-201,"
Insert: "61-3-101, 61-3-201, 61-3-202,"
Following: "61-3-342,"
Insert: "61-3-503,"

6. Title, line 20.
Following: "DATE"
Strike: ","
Insert: "AND"

7. Title, line 21.
Strike: ", AND A TERMINATION DATE"

8. Page 2, line 10.
Following: "the"
Strike: "users' advisory group"
Insert: "county motor vehicle computer committee"

9. Page 2, lines 10 through 13.
Following: "." on line 10
Strike: remainder of line 10 through "group." on line 13

10. Page 3, line 12.
Following: line 11
Insert: "Section 2. Section 61-3-101, MCA, is amended to read:

"61-3-101. Duties of department -- records. (1) The department shall keep a record as hereinafter specified of all motor vehicles, trailers, and semitrailers of every kind, and of certificates of registration and ownership thereof, and of all manufacturers and dealers in motor vehicles.

(2) ~~In the case of motor vehicles, trailers, and semitrailers, the~~ The record ~~shall~~ must show the following:

(a) name of owner, residence address by street or rural route, town, and county, and ~~business address~~ mailing address if different than residence address;

(b) name and address of conditional sales vendor, mortgagee, or other lienholder and amount due under contract or lien;

(c) manufacturer of car;

(d) manufacturer's designation of style of car or vehicle;

(e) identifying number;

(f) year of manufacture;

(g) character of motive power and shipping weight of car as shown by the manufacturer;

(h) the distinctive license number assigned to the vehicle;

(i) if a truck or trailer, the number of tons' capacity or GVW if imprinted on manufacturer's identification plate;

(j) such other information as may from time to time be found desirable.

(3) The department shall file applications for registration received by it from the county treasurers of the state and register the vehicles ~~therein described~~ and the vehicle owners ~~thereof in suitable books or on index cards,~~ as follows:

(a) under the distinctive license number assigned to the vehicle by the county treasurer;

(b) alphabetically under the name of the owner;

(c) numerically under make and identifying number of the vehicle;

(d) such other index of registration as the department considers expedient.

(4) Vehicle registration records and indexes and driver's license records and indexes may be maintained by electronic recording and storage media.

(5) In the case of dealers, the records shall show the information contained in the application for dealer's license as required by 61-4-101 through 61-4-105, as well as the distinctive license number assigned to the dealer.

(6) In order to prevent an accumulation of unneeded records and files, regardless of any other statutory requirements, the department ~~shall have the authority and it shall be its duty to~~ may destroy all records and files ~~which have ceased to be of any value~~ that relate to vehicles that have not been registered within the preceding 4 years and that do not have an active lien.

~~(7) The department may establish and maintain a short-wave radio station in order to report motor vehicle registration information to the highway patrol, to sheriffs, and to the chiefs of police of each incorporated city of the state who are able to communicate with such short wave radio station.~~

~~(8)~~(7) All records shall be open to inspection during all reasonable business hours, and the department shall furnish any information from the records upon payment by the applicant of the cost of ~~transcribing~~ the information requested. Prior to providing the information, the department may require the applicant to provide identification."

Section 3. Section 61-3-201, MCA, is amended to read:

"61-3-201. Transfer of interest -- cancellation of erroneous certificate of ownership or registration. (1) Upon a transfer of any interest in a motor vehicle registered under the provisions of this chapter, the person whose interest is to be transferred shall write his signature with pen and ink upon the certificate of ownership issued for the vehicle in the appropriate space provided upon the reverse side of the certificate, and the signature must be acknowledged before the county treasurer, a deputy county treasurer, an elected official authorized to acknowledge signatures, an employee of the department, or a notary public.

(2) Within 20 calendar days after endorsement, the transferee shall forward both the endorsed certificate of ownership with the odometer mileage statement required under 61-3-206 and the certificate of registration, together with the information

required under 61-3-202, to the county treasurer, who shall forward them to the department. The department may not issue a certificate of ownership or certificate of registration until the outstanding certificates are surrendered to that office or their loss is established to its reasonable satisfaction. Failure to make application within the 20-day grace period subjects the transferee to a penalty of $10. The county treasurer shall collect the penalty at the time of registration. The penalty is in addition to the fees otherwise provided by law. If the transferee does not make application within 25 days, a creditor or secured party may pay the fees for the transfer of title and filing of security interest or lien in order to have title transferred to the transferee and have the security interest or lien filed. The creditor or secured party is not liable for the penalty, registration fees, or taxes. The department shall return the certificate of title to the county treasurer as provided in 61-3-103(1). When the certificate of ownership is returned by the department to the county treasurer, the treasurer shall hold the certificate of ownership until the vehicle is properly registered.

(3) In the event of a transfer by operation of law of any interest in a motor vehicle as upon inheritance, devise, or bequest, order in bankruptcy or insolvency, execution sale, repossession upon default in the performance of the terms of a lease or executory sales contract, or otherwise than by voluntary act of the person whose title or interest is transferred, the executor, administrator, receiver, trustee, sheriff, or other representative or successor in interest of the person whose interest is transferred shall forward to the department an application for a certificate of ownership in the form required for an original application for a certificate of ownership, together with a verified or certified statement of the transfer of interest. The statement must set forth the reason for the involuntary transfer, the interest transferred, the name of the person to whom the interest is to be transferred, the process of procedure effecting the transfer, and other information requested by the department. Evidence and instruments otherwise required by law to effect a transfer of legal or equitable title to or an interest in chattels as may be required in such cases must be furnished with the statement. If the department is satisfied that the transfer is regular and that all formalities required by law have been complied with, it shall send to the owner, conditional sales vendor, lessor, mortgagee, and other lienor, as shown by its records, notice of the intended transfer and, not less than 5 days after sending notice, shall issue a new certificate of ownership and certificate of registration to the transferee. The notice required by this section is complied with by deposit in the ~~post office in Deer Lodge, Montana,~~ U.S. mail of the notice, postage prepaid, addressed to the person at the respective address shown on its records.

(4) When the vehicle certificate of ownership that is involuntarily transferred is not registered in this state, the procedure in subsection (3) must be followed in applying for a new certificate of ownership and certificate of registration but the department need not send notice of intended transfer and shall

issue a new certificate of ownership and a new certificate of registration to the person entitled to them.

(5) (a) If the owner of one or more motor vehicles, trailers, semitrailers, or housetrailers registered under this chapter and not exceeding a combined value of $15,000 dies without leaving other property necessitating the procuring of letters of administration or letters testamentary, the surviving spouse or other heir unless the property is by will otherwise bequeathed may secure transfer of the decedent's certificate of ownership and the certificate of registration for the vehicle.

(b) The person seeking transfer of the certificate of ownership shall file an affidavit with the department setting forth the fact of survivorship and the name and address of any other heirs and other facts as are necessary under subsection (5)(a) to entitle the affiant to a transfer.

(c) The department is authorized to transfer the certificate of ownership and certificate of registration, subject to all security interests shown by its records, upon receipt of an affidavit showing that the affiant is entitled to a transfer under the provisions of subsection (5)(a) of this section.

(6) Nothing in subsection (5) prevents any secured party from assigning his interest in a motor vehicle registered under the provisions of this chapter to any other person without the consent of and without affecting the interest of the holder of the certificate of ownership and certificate of registration. Upon any assignment by a secured party of his security interest in any motor vehicle registered under this chapter, a copy of the assignment must be filed with the department and a record of the assignment made upon its records.

(7) The certificate of ownership is valid until canceled by the department upon a transfer of any interest shown in the certificate, and annual renewal is not needed.

(8) (a) Upon its determination that a certificate of ownership or a registration receipt contains an error ~~caused by the department~~, or that the applicant has paid the required fees and taxes with an insufficient funds check and if the department has been notified of that fact by the county attorney, the department may cancel the certificate of ownership or receipt and, in the case of an error, issue a replacement for the erroneous certificate or receipt if the owner has returned the certificate or receipt to be canceled. If the owner fails to return to the department the certificate of ownership, the registration receipt, or the license plate, the department shall direct a peace officer or department employee to secure and return the certificate, receipt, or license plate to the department.

(b) Any person who fails to return a certificate of ownership or a registration receipt ~~issued with~~ that contains an error ~~caused by the department~~ or that has been canceled by the department due to an insufficient funds check, as provided in subsection (8)(a), after receiving actual notice of the department's demand for the return of the certificate or receipt, as required by subsection (8)(a), is guilty of a misdemeanor and upon conviction may be fined an amount not to exceed $500."

Section 4. Section 61-3-202, MCA, is amended to read:

"61-3-202. Certificate of ownership -- issuance -- contents -- joint ownership. (1) Upon completion of the application for certificate of ownership, on forms furnished by the department, the county treasurer shall forward one copy of the application to the department, which shall enter the information contained in the application upon the corresponding records of its office and, except as provided in 61-3-103(1) and 61-3-201(2) concerning applications by creditors or secured parties, shall furnish the applicant a certificate of ownership subject to the provisions of 61-3-103.

(2) The certificate of ownership shall contain upon the face thereof:

(a) the date issued;

(b) the name and ~~complete~~ mailing and residence address of the owner or the names and addresses of joint owners;

(c) except as provided in 61-3-103, the name and complete address of any holder of a perfected security interest in the registered vehicle;

(d) a description of the registered vehicle, including the year built and serial number;

(e) except as provided in 61-3-103, the filing date of any lien against such motor vehicle; and

(f) such other statement of facts as may be determined by the department.

(3) When the names and addresses of more than one owner who are members of the same immediate family are listed on the certificate of ownership, joint ownership with right of survivorship, and not as tenants in common, is presumed.

(4) Upon receipt of the application, the department shall recheck the application. If there is any error in the application, it may be returned to the owner or to the county treasurer to effectively secure the correction of such error, who shall return the same to the department.

(5) The certificate of ownership shall contain a notice to the department of a transfer of interest of the owner and such other statements as may be determined by the department.""

Renumber: subsequent sections

11. Page 4, line 16.
Following: "sticker."
Insert: "(1)"

12. Page 4, lines 17 and 18.
Following: "to" on line 17
Strike: remainder of line 17 through "treasurer" on line 18
Insert: "fully complete the process of applying for a Montana title"

13. Page 5, line 15.
Following: line 14
Insert: "(2) A vehicle for which an application for title cannot be completed may not be registered by the county treasurer nor may license plates for the vehicle be issued by the county treasurer until the

completed certificate of ownership or application for title is presented for the purpose of transferring ownership.

(3) In the event an unusual circumstance prevents the owner of a vehicle from presenting the certificate of ownership within the 60-day period permitted under subsection (1), the owner may apply to the motor vehicle division for an extended temporary window sticker on an application form provided by the division. The form must be accompanied by the title application.

(4) Upon receipt of an application for an extended temporary window sticker and title as designated in subsection (3), the motor vehicle division or the county treasurer, with the authorization of the motor vehicle division, may issue an extended temporary window sticker, valid for an additional 60 days, upon payment of a fee of $10 that must be deposited in the general fund. At the end of the extended 60-day period or in the event the request for extension is rejected by the department for cause, the owner may obtain a certificate of ownership by the method provided in 61-3-208.

Section 7. Section 61-3-503, MCA, is amended to read:

"61-3-503. (Temporary) Assessment. (1) Except as provided in 61-3-520 and subsection (2) of this section, the following apply to the taxation of motor vehicles:

(a) Except as provided in subsections (1)(c) through (1)(e) person who files an application for registration or reregistration of a motor vehicle shall before filing the application with the county treasurer submit the application to the county assessor. The county assessor shall enter on the application in a space to be provided for that purpose the market value and taxable value of the vehicle as of January 1 of the year for which the application for registration is made.

(b) Except as provided in subsection (1)(c), motor vehicles are assessed for taxes on January 1 in each year irrespective of the time fixed by law for the assessment of other classes of personal property and irrespective of whether the levy and tax may be a lien upon real property within the state. A motor vehicle is not subject to assessment, levy, and taxation more than once in each year.

(c) Vehicles subject to the provisions of 61-3-313 through 61-3-316 ~~shall~~ must be assessed as of the first day of the registration period, using the average trade-in or wholesale value as of January 1 of the year of assessment of the vehicle as contained in the most recent volume of the Mountain States Edition of the National Automobile Dealers Association (N.A.D.A.) Official Used Car Guide, the National Edition of N.A.D.A. Appraisal Guides Official Older Used Car Guide, or another nationally published used vehicle or appraisal guide approved by the department of revenue or, for a vehicle that was never listed in any edition of the preceding guides, the retail value of the vehicle as determined by the county assessor, and thereafter depreciated 10% per year until a value of $500 is reached, not including additions or deductions for options and mileage but including additions or deductions, whether or not one of the preceding guides is used, for diesel engines; and a lien for taxes and fees due on the vehicle

shall occur on the anniversary date of the registration and shall continue until the fees and taxes have been paid. If the value shown in any of the appraisal guides listed in this section is less than $500, the department shall value the vehicle at $500.

(d) Motorcycles and quadricycles ~~shall~~ must be assessed, using the greater of the following:

(i) $250; or

(ii) the average trade-in or wholesale value as of January 1 of the year of assessment of the vehicle as contained in the most recent volume of the applicable National Edition of the N.A.D.A. Motorcycle/Moped/ATV Appraisal Guide or N.A.D.A. Recreational Vehicle Appraisal Guide or another nationally published used vehicle or appraisal guide approved by the department of revenue, not including additions or deductions for options and mileage.

(e) If a vehicle assessed under subsection (1)(c) or (1)(d) is not originally listed in the applicable N.A.D.A. guide or other approved guide, the department of revenue or its agent shall depreciate the original f.o.b. factory list price, f.o.b. port-of-entry list price, or the manufacturer's suggested list price, using the following methods:

(i) if the new car sales tax has been previously paid and the vehicle is less than 1 year in age, the depreciation percentage shall be 20%; or

(ii) if the vehicle is 1 year or older in age and it is not listed in any of the appraisal guides listed in this section, the department of revenue shall determine the depreciation percentage to approximate the average wholesale or trade-in values in the current N.A.D.A. guides or other approved guides referred to in this subsection. For purposes of this subsection (1), the age of the vehicle is determined by subtracting the manufacturer's model year of the vehicle from the calendar year of assessment.

(f) When a minimum value of $500 is reached, the value shall remain at that minimum so long as the vehicle is registered.

(g) If a previously registered vehicle is no longer listed in the applicable N.A.D.A. guide or other approved guide, the department or its agent shall depreciate the value of the vehicle at the rate of 10% a year until a minimum amount of $500 is attained, and the value shall remain at that amount so long as the vehicle is registered.

(2) The provisions of subsections (1)(a) through (1)(g) do not apply to motor homes, travel trailers, campers, or mobile homes as defined in 15-1-101(1). (Terminates December 31, 1993--sec. 11, Ch. 525, L. 1989.)

61-3-503. (Effective January 1, 1994) Assessment. (1) Except as provided in subsection (2), the following apply to the taxation of motor vehicles:

(a) Except as provided in subsections (1)(c) through (1)(e), a person who files an application for registration or reregistration of a motor vehicle shall before filing such application with the county treasurer submit the application to the county assessor. The county assessor shall enter on the application in a space to be provided for that purpose the market value and taxable value of the

vehicle as of January 1 of the year for which the application for registration is made.

(b) Except as provided in subsection (1)(c), motor vehicles are assessed for taxes on January 1 in each year irrespective of the time fixed by law for the assessment of other classes of personal property and irrespective of whether the levy and tax may be a lien upon real property within the state. In no event may any motor vehicle be subject to assessment, levy, and taxation more than once in each year.

(c) Vehicles subject to the provisions of 61-3-313 through 61-3-316 ~~shall~~ must be assessed as of the first day of the registration period, using the average trade-in or wholesale value as of January 1 of the year of assessment of the vehicle as contained in the most recent volume of the Mountain States Edition of the National Automobile Dealers Association (N.A.D.A.) Official Used Car Guide, the National Edition of N.A.D.A. Appraisal Guides Official Older Used Car Guide, or another nationally published used vehicle or appraisal guide approved by the department of revenue or, for a vehicle that was never listed in any edition of the preceding guides, the retail value of the vehicle as determined by the county assessor, and thereafter depreciated 10% per year until a value of $500 is reached, not including additions or deductions for options and mileage but including additions or deductions, whether or not one of the preceding guides is used, for diesel engines; and a lien for taxes and fees due on the vehicle shall occur on the anniversary date of the registration and shall continue until the fees and taxes have been paid. If the value shown in any of the appraisal guides listed in this section is less than $500, the department shall value the vehicle at $500.

(d) Motorcycles and quadricycles shall be assessed, using the greater of the following:

(i) $250; or

(ii) the average trade-in or wholesale value as of January 1 of the year of assessment of the vehicle as contained in the most recent volume of the applicable National Edition of the N.A.D.A. Motorcycle/Moped/ATV Appraisal Guide or N.A.D.A. Recreational Vehicle Appraisal Guide or another nationally published used vehicle or appraisal guide approved by the department of revenue, not including additions or deductions for options and mileage.

(e) If a vehicle assessed under subsection (1)(c) or (1)(d) is not originally listed in the applicable N.A.D.A. guide or other approved guide, the department of revenue or its agent shall depreciate the original f.o.b. factory list price, f.o.b. port-of-entry list price, or the manufacturer's suggested list price, using the following methods:

(i) if the new car sales tax has been previously paid and the vehicle is less than 1 year in age, the depreciation percentage shall be 20%; or

(ii) if the vehicle is 1 year or older in age and it is not listed in any of the appraisal guides listed in this section, the department of revenue shall determine the depreciation percentage to approximate the average wholesale or trade-in values in the current N.A.D.A. guides or other approved guide referred to in this

subsection. For purposes of this subsection (1), the age of the vehicle is determined by subtracting the manufacturer's model year of the vehicle from the calendar year of assessment.

(f) When a minimum value of $500 is reached, the value shall remain at that minimum so long as the vehicle is registered.

(g) If a previously registered vehicle is no longer listed in the applicable N.A.D.A. guide or other approved guide, the department or its agent shall depreciate the value of the vehicle at the rate of 10% a year until a minimum amount of $500 is attained, and the value shall remain at that amount so long as the vehicle is registered.

(2) The provisions of subsections (1)(a) through (1)(g) do not apply to motor homes, travel trailers, campers, or mobile homes as defined in 15-1-101(1).""

Renumber: subsequent sections

14. Page 5, line 18.
Following: "~~of~~"
Strike: "An"
Insert: "Except as provided in subsection (2), an"

15. Page 6, line 4.
Following: "reregistration"
Insert: "and only if the value, age, length, or other criteria used to determine the tax or fee is available to the department"

16. Page 6, lines 8 through 11.
Following: "must" on line 8
Strike: remainder of line 8 through "applicant" on line 11
Insert: "include a procedure to facilitate automated handling of mail reregistration or recertification"

17. Page 6, line 14.
Following: "statement"
Strike: ", to be subscribed to by"
Insert: "that"
Following: "applicant"
Strike: ","

18. Page 6, line 15.
Strike: "stating"
Insert: "is in"

19. Page 6, line 25 through page 7, line 13.
Following: "recertification." on line 25
Strike: remainder of line 25 through page 7, line 13
Insert: "The mail renewal procedure developed by the department of justice pursuant to 61-3-535 may be used for mail recertification of boats, the renewal of license decals, and the payment of the fee in lieu of tax."

20. Page 7, line 15 through page 8, line 3.
Following: "recertification." on line 15

Strike: remainder of line 15 through page 8, line 3
Insert: "The mail renewal procedure developed by the department of justice pursuant to 61-3-535 may be used for mail recertification of snowmobiles, the renewal of license decals, and the payment of the fee in lieu of tax."

21. Page 8, lines 5 through 18.
Following: "recertification." on line 5
Strike: remainder of line 5 through line 18
Insert: "The mail renewal procedure developed by the department of justice pursuant to 61-3-535 may be used for mail recertification of off-highway vehicles, the renewal of license decals, and the payment of the fee in lieu of tax."

22. Page 8, lines 20 through 22.
Following: "department" on line 20
Strike: remainder of line 20 through "an" on line 22
Insert: "shall maintain a statewide"

23. Page 8, lines 22 and 23.
Following: "system" on line 22
Strike: remainder of line 22 through "state" on line 23

24. Page 9, line 1.
Following: "department"
Strike: "of justice"

25. Page 9, line 2.
Following: "group"
Strike: "provided for in subsection (1),"

26. Page 9, lines 3 and 4.
Following: "development" on line 3
Strike: remainder of line 3 through "(1)" on line 4
Insert: "of policies governing the registration and reregistration of motor vehicles, boats, snowmobiles, and off-highway vehicles"

27. Page 9, lines 5 through 12.
Following: line 4
Strike: line 5 through "group." on line 12
Insert: "be appointed by the attorney general and must include:

(a) an employee of the department of administration, data processing division, selected by the division administrator;

(b) two county treasurers, selected by the Montana county treasurers association;

(c) one county motor vehicle section supervisor, selected by the Montana county treasurers association;

(d) a county assessor, selected by the director of the department of revenue;

(e) an employee of the department of justice, data processing division, selected by the division administrator;

(f) an employee of the department of justice, motor vehicle division, registrar's bureau, selected by the division administrator;

(g) an employee of the department of justice, motor vehicle division, driver services bureau, selected by the division administrator;

(h) a member of the Montana bankers' association, selected by the association director;

(i) a member of the Montana automobile dealers association, selected by the association director; and

(j) a member or employee of the Montana American automobile association, selected by the association director.

(3) Committee members who are not employees of the state of Montana shall serve a term of 2 years, and state employee members shall serve at the pleasure of the attorney general.

(4) Travel and per diem expenses for the committee must be charged to the motor vehicle division.

(5) Secretarial and support services for the committee must be provided by the motor vehicle division.

(6) The committee shall meet no more than four times a year unless specifically called by the attorney general."

28. Page 10, lines 5 and 6.
Following: "(a)" on line 5
Strike: remainder of line 5 through "peripherals," on line 6
Insert: "establish the requirements and specifications for the county motor vehicle computer system to be"

29. Page 10, lines 9 and 10.
Following: "(b)" on line 9
Strike: remainder of line 9 through "purchase" on line 10
Insert: "approve the purchase of"

30. Page 10, lines 14 and 15.
Following: "(c)" on line 14
Strike: remainder of line 14 through "justice" on line 15
Insert: "approve the procedures"

31. Page 10, line 16.
Strike: "8"
Insert: "12"

32. Page 10, lines 18 through 21.
Strike: subsection (2) in its entirety
Insert: "(2) As used in this section, "computer system" means the county motor vehicle application system and does not include the central computer centers or imply that the department of administration is responsible for establishing policy and operating and maintaining central computer centers."

33. Page 11, line 11.
Strike: "county motor vehicle computer"
Insert: "state general"

34. Page 11, lines 12 through 20.
Strike: section 12 in its entirety

Insert: "NEW SECTION. Section 16. Appropriation. There is appropriated from the general fund to the department of justice $639,300 in fiscal year 1992 and $837,900 in fiscal year 1993 to fund the continued development and operation of the statewide motor vehicle computer system."

35. Page 11, line 22.
Following: "applicability"
Strike: "-- termination"
Following: "."
Strike: "(1)"

36. Page 12, line 1.
Strike: subsection (2) in its entirety

37. Page 12, line 3.
Strike: "5"
Insert: "9"

38. Page 12, line 5.
Strike: "5"
Insert: "9"

39. Page 12, line 6.
Strike: "6"
Insert: "10"

40. Page 12, line 9.
Strike: "6"
Insert: "10"

41. Page 12, line 10.
Strike: "7"
Insert: "11"

42. Page 12, line 13.
Strike: "7"
Insert: "11"

43. Page 12, line 14.
Insert: "(4) [Sections 12 through 14] are intended to be codified as an integral part of Title 61, chapter 3, part 3, and the provisions of Title 61, chapter 3, part 3, apply to [sections 12 through 14].

(5) [Section 15] is intended to be codified as an integral part of Title 61, chapter 3, part 5, and the provisions of Title 61, chapter 3, part 5, apply to [section 15]."

And, as amended, do pass. Report adopted.

SB 318, third reading copy, be amended as follows: 3/21/91

1. Title, line 10.
Following: "FEE;"

Insert: "PROVIDING THAT A PORTION OF THE FEE PROCEEDS BE EARMARKED FOR STATE PARKS;"

2. Page 4, line 12.
Following: "parks."
Insert: "The funds may be used only for the operation, development, and maintenance of the state park system."

3. Page 5, line 25.
Following: line 24
Insert: "NEW SECTION. Section 9. Coordination instruction. If Senate Bill No. 415 is passed and approved and if it includes a fee on campers, then [section 4 of this act], amending 61-3-524, is amended as follows:

(1) the fee assessed in 61-3-524(2) is reduced from $3.50 to $1; and

(2) 61-3-524(4) as it appears in [this act] is void and 61-3-524(4) is amended to read:

"(4) The county treasurer shall deposit the fee collected under subsection (2) in the county general fund.""
Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

HUMAN SERVICES AND AGING (Russell, Chairman): 3/22/91
HB 978, introduced bill, be amended as follows:

1. Page 1, line 15.
Strike: "avoid"
Insert: "delay"
Strike: "long-term"
Insert: "skilled and intermediate nursing"

2. Page 1, line 18.
Strike: "alternative" through "facilities"
Insert: "important service"

3. Page 1, line 21.
Strike: "long-term"
Insert: "skilled and intermediate nursing"

4. Page 1, lines 23 and 24.
Strike: "outside" on line 23 through "possible" on line 24
Insert: "within personal-care facilities in accordance with licensure regulations"

5. Page 2, line 2.
Strike: "a long-term care facility"
Insert: "skilled and intermediate nursing care facilities"

6. Page 2, line 25.
Following: "person"
Insert: "and allowed within the facilities' licensure"

7. Page 3, line 8.
Following: "minimize"
Insert: "inappropriate"

8. Page 3, line 9.
Strike: "long-term"
Insert: "skilled and intermediate nursing"

9. Page 4, line 4.
Strike: "The"
Insert: "Prior to December 31, 1991, the"

10. Page 4.
Following: line 25
Insert: "(ii) the cost of providing personal-care facility services;"
Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

HB 980, introduced bill, do pass. Report adopted.
SB 311, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.
SB 336, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.

TAXATION (Harrington, Chairman): 3/22/91
HB 790, introduced bill, be amended as follows:

1. Page 2, line 11.
Strike: "adjusted"
Following: "income"
Insert: ", including all nontaxable income,"

2. Page 2, line 12.
Strike: "adjusted"
Following: "income"
Insert: ", including all nontaxable income,"

3. Page 2, line 17.
Following: "~~administration~~"
Insert: "home health agency services,"

And, as amended, do pass. Report adopted.

HB 832, introduced bill, be amended as follows:

1. Page 3, line 3.
Following: line 2
Insert: "(5) The distribution formula specified in subsections (2) through (4) may be modified by an impact plan approved as provided in 90-6-307 or amended as provided in 90-6-311, if the modification is needed in order to ensure a reasonable correspondence between the occurrence of increased costs resulting from the mineral

development and the allocation of taxable valuation resulting from the mineral development."

2. Page 3, line 15.
Following: "impacts"
Insert: ", resulting in increased employment or local government costs,"

And, as amended, do pass. Report adopted.

HB 970, introduced bill, be amended as follows:

1. Title, line 7.
Following: "INCLUDE"
Insert: "COMPANIES THAT ENGAGE IN"
Following: "WAREHOUSING,"
Insert: "OR"

2. Title, lines 8 through 11.
Strike: ", AND COMMUNICATION" on line 8 through "PROPERTY" on line 11
Insert: "OF COMMERCIAL PRODUCTS OR MATERIALS IF 50 PERCENT OR MORE OF THE INDUSTRY'S GROSS OPERATING SALES OR RECEIPTS ARE EARNED FROM OUTSIDE THE STATE AND BUSINESSES THAT EARN 50 PERCENT OR MORE OF THEIR ANNUAL GROSS OPERATING INCOME FROM OUT-OF-STATE SALES"

3. Title, lines 13 through 15.
Strike: "REQUIRING" on line 13 through "LOCATED;" on line 15

4. Title, line 18.
Strike: "AND"

5. Title, line 19.
Following: "MCA"
Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE"

6. Page 3, lines 14 through 16.
Strike: "and" on line 14 through "is" on line 16
Insert: ", as"

7. Page 3, line 18.
Following: "~~those~~"
Insert: "only those"

8. Page 4, line 5.
Strike: "or"

9. Page 4, line 6.
Strike: "provide"
Insert: "engage in the"
Following: "warehousing,"

Insert: "or"

10. Page 4, line 7.
Strike: ", or communications services"
Insert: "of commercial products or materials if 50% or more of the industry's gross operating sales or receipts are earned from outside the state; or

(v) earn 50% or more of their annual gross operating income from out-of-state sales"

11. Page 4, line 11.
Following: "professions"
Insert: "unless the business or profession meets the requirements of subsection (4)(b)(v)"

12. Page 5, lines 3 through 6.
Strike: "means" on line 3 through "Industry" on line 6

13. Page 5, line 17.
Strike: "or"

14. Page 5, line 18.
Strike: "provision of"
Following: "warehousing,"
Insert: "or"

15. Page 5, line 19.
Strike: ", or communications services"
Insert: "of commercial products or materials if 50% or more of the industry's gross operating sales or receipts are earned from outside the state; or

(e) earn 50% or more of their annual gross operating income from out-of-state sales"

16. Page 5, line 20.
Strike: "industry"
Insert: "firm"

17. Page 9.
Following: line 19
Insert: "NEW SECTION. Section 5. Effective date -- retroactive applicability. [This act] is effective on passage and approval and applies retroactively, within the meaning of 1-2-109, to taxable years beginning after December 31, 1990."

And, as amended, do pass. Report adopted.

HB 973, introduced bill, be amended as follows:

1. Page 6, lines 2 and 3.
Strike: "or licensed to sell special fuels as provided by 15-70-302"

2. Page 10, lines 24 and 25.

Strike: "July 1, 1991,"
Insert: "[the effective date of this section]"

3. Page 11, line 16.
Strike: "July 1, 1991"
Insert: "April 13, 1989"

4. Page 12, line 6.
Strike: ":"

5. Page 12, lines 7 through 12.
Strike: "(i)" on line 7
Strike: ", for" on line 7 through fund on line 12

6. Page 12, lines 22 and 23.
Following: "(2)"
Insert: "(a)"
Following: "~~not~~"
Insert: "not"
Strike: ":" on line 23

7. Page 12, line 24.
Strike: "(a)"
Following: "fund"
Insert: "or the small petroleum tank release cleanup fund"

8. Page 12, line 25.
Following: "~~following~~"
Insert: "the following"

9. Page 13, line 1.
Strike: "with the following exceptions"

10. Page 13, lines 9 through 13.
Strike: subsection (v) in its entirety
Renumber: subsequent subsections

11. Page 13, line 20.
Strike: "; or"
Insert: "."

12. Page 13, line 21.
Following: "(b)"
Insert: "An owner or operator is not eligible for reimbursement"
Strike: "small"

13. Page 13, line 23.
Strike: "only"

14. Page 14.
Following: line 3
Insert: "(c) An owner or operator is eligible for reimbursement from the small petroleum tank release cleanup fund for expenses caused by

releases from petroleum storage tanks listed in subsection (2)(b) only."

15. Page 18, line 24.
Strike: "tanks"
Insert: "claims and complexity of claims"

16. Page 19, line 1.
Strike: "tanks"
Insert: "claims and complexity of claims"

17. Page 20, line 15.
Strike: "tanks"
Insert: "claims and complexity of claims"

18. Page 20, line 17.
Strike: "tanks"
Insert: "claims and complexity of claims"

19. Page 21.
Following: line 10
Insert: "(5) (a) The legislature may appropriate to the small petroleum tank release cleanup fund repayable advances from the petroleum tank release cleanup fund as necessary to carry out the administrative needs of this part. The outstanding total repayable advances may not exceed the amount the board estimates will be received by the fund from the small petroleum storage tank cleanup fee during the next 4 months.

(b) Whenever determined appropriate by the board, advances to the small petroleum tank release cleanup fund must be repaid with interest at a rate equal to the average short-term investment pool portfolio 7-day average yield for the months in which the loan is outstanding. All advances to the fund, plus interest, must be repaid before January 1, 1994."

20. Page 22, line 1.
Strike: "and"

21. Page 22.
Following: line 1
Insert: "(b) special fuels sold to the federal government;

(c) special fuels sold to another gasoline distributor licensed under 15-70-201; and"
Renumber: subsequent subsection

22. Page 22, line 3.
Following: "oil"
Insert: "or waste oil"

23. Page 23, line 23.
Following: "expenses"
Strike: "and"
Insert: ","

24. Page 24, line 2.
Following: "part"
Insert: ", and to pay for department of revenue staff utilized for the collection of the petroleum storage tank cleanup fee and the small petroleum storage tank cleanup fee"

25. Page 26, line 23.
Following: line 22
Insert: "NEW SECTION. Section 12. Report to legislature. The petroleum tank release compensation board shall report to the 53rd legislature a proposal for consolidation of the petroleum tank release cleanup fund and the small petroleum tank release cleanup fund and for consolidating the administration of the programs."
Renumber: subsequent sections

26. Page 27, line 10.
Following: "10,"
Strike: "12"
Insert: "13, 14"

27. Page 27, line 12.
Following: "8"
Insert: ","
Strike: "and"
Following: "11"
Insert: ", and 12"

And, as amended, do pass. Report adopted.

SB 280, third reading copy, be amended as follows:

Senate Bill 41 changed collection of passenger tramway assessments from DOR to Department of Commerce by amending 23-2-715, MCA. It has been enacted as Ch. 34, Laws of 1991. Senate Bill 280 amends the same section by adding standardized collection provisions for use by Department of Revenue. Section 23-2-715 is removed from SB 280 with this amendment.

1. Title, line 12.
Strike: "THE PASSENGER TRAMWAY ASSESSMENT,"

2. Title, line 16.
Strike: "23-2-715,"

3. Page 8, line 21 through page 10, line 16.
Strike: section 7 in its entirety
Renumber: subsequent sections

4. Page 22, line 9.
Page 22, line 12.
Page 22, line 13.
Page 22, line 16.
Strike: "12 and 16"
Insert: "11 and 15"

5. Page 22, line 17.
Page 22, line 20.
Strike: "13"
Insert: "12"

6. Page 22, line 21.
Page 22, line 24.
Strike: "11, 14, and 15"
Insert: "10, 13, and 14"

7. Page 22, line 25.
Page 23, line 3.
Strike: "12, 16, 17, and 18"
Insert: "11 and 15 through 17"

8. Page 23, lines 7 and 8.
Strike: "7"
Strike: "9"
Insert: "8"

9. Page 23, lines 5 and 8.
Strike: "__ Bill No. __ [LC 981]"
Insert: "Senate Bill No. 445"

And, as amended, be concurred in. Report adopted.

SJR 15, third reading copy, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/22/91

HB 504, introduced by Driscoll
HB 586, introduced by Swysgood
HB 957, introduced by J. Johnson

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 3/22/91

HB 629, introduced by McCulloch

House bill not concurred in and returned to the House: 3/22/91

HB 707, introduced by Menahan

House bill indefinitely postponed and returned to the House: 3/21/91

HB 169, introduced by Thoft

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HB 1006, introduced by Darko, referred to Committee on Taxation

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 386 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Elliott, Ellison, Forrester, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Squires, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Mr. Speaker.
Total 58

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, D. Brown, Cobb, J. DeBruycker, R. DeBruycker, Driscoll, Ellis, Fagg, Feland, Foster, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, McCaffree, Mercer, T. Nelson, Peck, Peterson, Phillips, Scott, Simpkins, Spring, Stang, Steppler, Swysgood, Thoft, Thomas, Wallin, Wyatt, Zook.
Total 39

Excused: Galvin.
Total 1

Absent or not voting: Lee, Measure.
Total 2

HB 547 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood,

Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Cohen, Cromley, Measure.
Total 3

Excused: Galvin.
Total 1

Absent or not voting: None.
Total 0

SB 165 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Gervais, Gilbert, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Bergsagel, Cobb, R. DeBruycker, Elliott, Feland, Gould, Grinde, McCaffree, McCulloch, Peterson, Simpkins, Stang, Swysgood, Thoft, Thomas.
Total 15

Excused: Galvin.
Total 1

Absent or not voting: None.
Total 0

SB 293 concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood,

Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Bachini.
Total 1

Excused: Galvin.
Total 1

Absent or not voting: Scott.
Total 1

SB 308 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: L. Nelson.
Total 1

Excused: Galvin.
Total 1

Absent or not voting: None.
Total 0

SB 392 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Daily, Darko, Davis, R. DeBruycker, Dolezal, Ellison, Fagg, Foster, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Raney, J. Rice, S. Rice, Schye, Scott, Southworth, Spring, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 72

Noes: Barnett, Beck, D. Brown, Connelly, Cromley, J. DeBruycker, Dowell, Driscoll, Elliott, Ellis, Feland, Forrester, Grinde, Kasten, McCaffree, Peck, Peterson, Phillips, Quilici, Ream, Russell, Simpkins, Stang, Steppler, Swysgood, Thoft, Wyatt.
Total 27

Excused: Galvin.
Total 1

Absent or not voting: None.
Total 0

SJR 19 concurred in as follows:

Ayes: Bachini, Barnett, Benedict, Bergsagel, D. Brown, Clark, Cobb, Cody, Daily, Darko, Davis, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Pavlovich, Peck, Peterson, Phillips, Quilici, J. Rice, Simpkins, Spring, Squires, Stang, Swysgood, Thoft, Thomas, Wallin, Zook.
Total 56

Noes: Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, R. DeBruycker, Dolezal, Dowell, Driscoll, Feland, Gervais, S. J. Hansen, Harrington, Kadas, Larson, McCulloch, Measure, Nisbet, O'Keefe, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Steppler, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 42

Excused: Galvin.
Total 1

Absent or not voting: J. DeBruycker.
Total 1

HB 76, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Bergsagel, Cromley.
Total 2

Excused: Galvin.
Total 1

Absent or not voting: None.
Total 0

HB 111, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Galvin.
Total 1

Absent or not voting: None.
Total 0

HB 161, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Bergsagel, Cobb, Cody, J. DeBruycker, R. DeBruycker, Elliott, Feland, Grinde, McCaffree, Stang, Swysgood, Thoft, Thomas.
Total 13

Excused: Galvin.
Total 1

Absent or not voting: None.
Total 0

HB 284, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Cody, Cohen, Cromley, Measure, L. Nelson, Scott, Wanzenried.
Total 7

Excused: Galvin.
Total 1

Absent or not voting: None.
Total 0

HB 311, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Kadas, Whalen.
Total 2

Excused: Galvin.
Total 1

Absent or not voting: None.
Total 0

HB 333, Senate amendments, concurred in as follows:

Ayes: Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Bachini, Bardanouve, Barnett, Bergsagel, Clark, Ellison, Feland, Gould, Knox, T. Nelson, Peck, Peterson, Simpkins, Spring.
Total 14

Excused: Galvin.
Total 1

Absent or not voting: None.
Total 0

HB 356, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 85

Noes: Barnett, R. DeBruycker, Ellison, Feland, Grinde, Knox, T. Nelson, Peterson, Phillips, Simpkins, Spring, Swysgood, Wallin, Zook.
Total 14

Excused: Galvin.
Total 1

Absent or not voting: None.
Total 0

HB 588, Senate amendments, concurred in as follows:

Ayes: Bachini, Beck, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: Barnett, Barnhart, Becker, Bergsagel, Cohen, R. DeBruycker, Elliott, Grinde, Measure, Peck, Swysgood, Thoft, Thomas.
Total 13

Excused: Galvin.
Total 1

Absent or not voting: Bardanouve, Feland, Harrington, Kasten.
Total 4

HB 712, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Gervais, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Steppler, Stickney, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 76

Noes: Barnett, Bergsagel, Clark, R. DeBruycker, Ellison, Feland, Foster, Gilbert, Grinde, H. S. Hanson, Hayne, Hoffman, Knox, Peterson, Phillips, Spring, Stang, Swysgood, Thoft, Wallin, Zook.
Total 21

Excused: Galvin.
Total 1

Absent or not voting: J. DeBruycker, Strizich.
Total 2

HB 758, Senate amendments, concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Gervais, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 73

Noes: Bachini, Barnett, Benedict, Bergsagel, Clark, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Feland, Gilbert, Grinde, H. S. Hanson, Hayne, Keller, McCaffree, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Swysgood, Tunby, Wallin, Zook.
Total 26

Excused: Galvin.
Total 1

Absent or not voting: None.
Total 0

HB 816, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Galvin.
Total 1

Absent or not voting: None.
Total 0

HB 819, Senate amendments, concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Bachini, Barnett, Benedict, Clark, R. DeBruycker, Knox, Peterson, Simpkins, Spring.
Total 9

Excused: Galvin.
Total 1

Absent or not voting: None.
Total 0

HB 829, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Brooke, Clark, Cohen, Kadas, McCaffree, Measure.
Total 6

Excused: Galvin.
Total 1

Absent or not voting: None.
Total 0

HB 938, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Galvin.
Total 1

Absent or not voting: None.
Total 0

HJR 29, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Galvin.
Total 1

Absent or not voting: Steppler.
Total 1

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Swysgood in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 866 - Representative D. Brown moved consideration of HB 866 be placed below HB 956 on the second reading board. Motion carried.

HB 390 - Representative Driscoll moved consideration of Senate amendments to HB 390 be placed at the top of the second reading board. Motion carried.

HB 390 - Representative Ream moved Senate amendments to HB 390 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Messmore, L. Nelson, T. Nelson, O'Keefe, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 74

Noes: Barnett, Bergsagel, D. Brown, Cobb, Cody, Cromley, Daily, J. DeBruycker, Driscoll, Forrester, H. S. Hanson, Harrington, Hayne, Kasten, Menahan, Mercer, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Russell, Simpkins, Steppler.
Total 25

Excused: Galvin.
Total 1

Absent or not voting: None.
Total 0

HB 982 - Representative O'Keefe moved HB 982 do pass.

Representative Daily moved for cloture. Motion carried.

Thereupon, HB 982 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Galvin, Gervais, S. J. Hansen, Harrington, Kadas,

Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 51

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Stickney, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 49

Voted Absentee: Galvin, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative O'Keefe moved consideration of HB 889 and HB 956 be passed for the day. Motion carried.

HB 866 - Representative D. Brown moved consideration of HB 866 be passed for the day. Motion carried.

Representative Hoffman in the Chair at this time.

Representative Cromley moved consideration of HB 987, HB 988 and HB 989 be heard in reverse order.

HB 989 - Representative Cromley moved HB 989, second reading copy, be amended (amendment #1). Amendment #1 failed as follows: (35-53)

Representative Cromley moved HB 989 do pass. Motion carried as follows:

Ayes: Barnhart, Beck, Becker, Benedict, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, Dolezal, Dowell, Ellis, Ellison, Fagg, Forrester, S. J. Hansen, Hayne, Hoffman, Keller, Kilpatrick, Kimberley, Knox, Madison, McCaffree, Measure, Mercer, Messmore, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Squires, Stickney, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 48

Noes: Bachini, Barnett, Bergsagel, Boharski, D. Brown, Clark, Cobb, Daily, J. DeBruycker, R. DeBruycker, Driscoll, Elliott, Feland, Foster, Gervais, Gilbert, Gould, H. S. Hanson, M. Hanson, Harrington, R. Johnson, Kasten, Larson, Lee, McCarthy, McCulloch, Menahan, L. Nelson, T. Nelson, O'Keefe,

Pavlovich, Peck, Peterson, Phillips, Quilici, Scott, Spring, Stang, Steppler, Strizich, Thomas, Whalen.
Total 42

Excused: Bardanouve, Bradley, Galvin, Grady, Grinde, J. Johnson, Kadas, Nisbet, Swysgood, Thoft.
Total 10

Absent or not voting: None.
Total 0

HB 988 - Representative Cromley moved HB 988, second reading copy, be amended (amendment #1). Amendment #1 failed as follows: (37-49)

Representative Cromley moved HB 988 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, Keller, Kilpatrick, Kimberley, Knox, Madison, McCaffree, Measure, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 60

Noes: Bachini, Barnett, Bergsagel, Boharski, D. Brown, Clark, Cobb, Daily, R. DeBruycker, Driscoll, Feland, Forrester, Foster, Gervais, Gilbert, Grinde, R. Johnson, Kasten, Larson, Lee, McCarthy, McCulloch, Menahan, Pavlovich, Peck, Phillips, Quilici, Scott, Stang, Steppler, Thomas, Whalen.
Total 32

Excused: Bradley, Galvin, Grady, J. Johnson, Kadas, Nisbet, Swysgood, Thoft.
Total 8

Absent or not voting: None.
Total 0

HB 987 - Representative Cromley moved HB 987, second reading copy, be amended (amendment #1). Amendment #1 failed as follows: (40-49)

Representative Cromley moved HB 987 do pass. Motion carried as follows:

Ayes: Barnhart, Beck, Becker, Benedict, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, Dolezal, Dowell, Ellis, Fagg, Gervais, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, Keller, Kilpatrick, Kimberley, Knox, Madison, McCaffree, Measure, Mercer, Messmore, T. Nelson, Nisbet, Peterson, Raney,

Ream, S. Rice, Russell, Schye, Southworth, Spring, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wyatt, Zook, Mr. Speaker.
Total 54

Noes: Bachini, Barnett, Bergsagel, Boharski, D. Brown, Clark, Daily, J. DeBruycker, R. DeBruycker, Driscoll, Elliott, Ellison, Feland, Forrester, Foster, Gilbert, Gould, Grinde, R. Johnson, Kasten, Larson, Lee, McCarthy, McCulloch, Menahan, L. Nelson, O'Keefe, Pavlovich, Peck, Phillips, Quilici, J. Rice, Scott, Stang, Steppler, Wanzenried, Whalen.
Total 37

Excused: Bardanouve, Bradley, Galvin, Grady, J. Johnson, Kadas, Swysgood, Thoft.
Total 8

Absent or not voting: Simpkins.
Total 1

HB 418 - Representative Madison moved HB 418 do pass. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Benedict, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Gervais, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 78

Noes: Barnett, Bergsagel, J. DeBruycker, Feland, Gilbert, Hayne, Knox, T. Nelson, Peterson, Phillips, Simpkins, Spring, Steppler, Wallin.
Total 14

Excused: Bardanouve, Bradley, Galvin, Grady, Grinde, Kadas, Swysgood, Thoft.
Total 8

Absent or not voting: None.
Total 0

SB 8 - Representative Harper moved SB 8, third reading copy, be amended as follows (amendment #1):

Page 1, line 16.
Page 2, lines 11 and 24.
Page 3, line 2.
Page 4, line 16.
Page 7, line 22.
Page 9, lines 8 and 15.

Page 12, line 23.
Page 13, lines 8 and 13.
Page 14, lines 22 and 24.
Page 15, line 4.
Page 17, lines 6 and 14.
Page 18, lines 13 and 14.
Page 20, line 13.
Page 21, lines 5 and 11.
Page 25, line 5.
Page 26, lines 2, 6, and 14.
Page 28, lines 11 and 24.
Page 30, line 8.
Page 31, lines 3 and 6.
Strike: "29"
Insert: "28"

Page 2, line 9.
Strike: "24"
Insert: "23"

1. Page 4, line 12.
Following: "appraisal."
Insert: "An appraisal report for a federally related transaction must be in writing."

Page 5, line 7.
Page 22, line 16.
Page 26, line 25.
Strike: "22"
Insert: "21"

2. Page 5, line 25 through page 6, line 9.
Strike: subsection (13) in its entirety

Page 9, line 6.
Page 27, line 25.
Strike: "25"
Insert: "24"

3. Page 9, line 15.
Following: line 14
Insert: "(2) The term "licensed real estate appraiser" may not be used to describe a firm, partnership, corporation, group, or anyone other than an individual licensee. However, a licensed real estate appraiser may engage in real estate appraisal as a professional corporation."
Renumber: subsequent subsections

4. Page 9, line 17.
Following: "property"
Insert: "for nonfederally related transactions"

Page 9, line 21.

Page 25, line 14.
Strike: "19 through 21"
Insert: "18 through 20"

5. Page 10, lines 3 through 5.
Strike: subsection (b) in its entirety
Renumber: subsequent subsections

6. Page 10, line 7.
Following: "duties"
Insert: "that are not governed by the rules established by the federal financial institutions examination council (FFIEC) agencies"

Page 15, line 13.
Strike: "5(2)"
Insert: "5(3)"

7. Page 20, line 14 through page 21, line 1.
Strike: section 17 in its entirety
Renumber: subsequent sections

Page 22, line 20.
Following: "requirements."
Insert: "(1)"

Page 22, line 23.
Strike: "(1)"
Insert: "(a)"

8. Page 22, line 24 through page 23, line 11.
Following: "property" on line 24.
Strike: remainder of line 24 through "claimed." on page 23 line 11.
Insert: ";"

Page 23, line 12.
Strike: "(2)"
Insert: "(b)"

9. Page 23, line 14 through page 24, line 2.
Following: "timberlands"
Strike: remainder of line 14 through "claimed." on page 24 line 2.
Insert: ";

(c) residential real estate, which relates to the appraisal of expensive or complex 1 to 4 family homes.

(2) The board shall adopt rules pertaining to real estate appraisal education and experience that are at least as stringent as those required for compliance with Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989."

Page 24, line 6.
Strike: "20"
Insert: "19"

10. Page 24, line 10.
Following: "performance"
Insert: "for each class of certification that are at least as stringent as those required for compliance with Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989"

11. Page 29, lines 21 and 22.
Strike: subsection (b) in its entirety
Renumber: subsequent subsections

Amendment #1 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: None.
Total 0

Excused: Bardanouve, Bradley, Cobb, Galvin, Grady, Grinde, Kadas, Swysgood, Thoft.
Total 9

Absent or not voting: S. J. Hansen, Hoffman.
Total 2

Representative S. Rice moved SB 8, as amended, be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Bradley, Galvin, Grady, Grinde, Kadas, Swysgood, Thoft.
Total 7

Absent or not voting: None.
Total 0

SB 437 - Representative Boharski moved consideration of SB 437 be passed for the day. Motion carried.

SB 84 - Representative McCarthy moved SB 84 be concurred in. Motion carried as follows:

Ayes: Barnhart, Beck, Becker, Benedict, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Feland, Forrester, Gervais, S. J. Hansen, H. S. Hanson, Harrington, J. Johnson, R. Johnson, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 67

Noes: Bachini, Barnett, Bergsagel, Boharski, Clark, R. DeBruycker, Ellis, Ellison, Foster, Gilbert, Gould, Grinde, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, Peck, Peterson, Phillips, J. Rice, Simpkins, Spring, Wallin.
Total 26

Excused: Bardanouve, Bradley, Galvin, Grady, Kadas, Swysgood, Thoft.
Total 7

Absent or not voting: None.
Total 0

SB 87 - Representative J. Rice moved SB 87 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring,

Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Bardanouve, Bradley, Galvin, Grady, Grinde, Kadas, Swysgood, Thoft.
Total 8

Absent or not voting: D. Brown.
Total 1

SB 107 - Representative Simpkins moved SB 107, third reading copy, be amended (amendment #1). Amendment #1 failed as follows: (22-61)

Representative D. Brown moved SB 107 be concurred in.

Representative Wanzenried made a substitute motion consideration of SB 107 be passed for the day. Motion failed as follows: (40-47)

Thereupon, SB 107 was concurred in as follows:

Ayes: Barnett, Becker, Benedict, Bergsagel, Boharski, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Driscoll, Elliott, Ellis, Ellison, Feland, Forrester, Foster, Gervais, Gilbert, Gould, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, L. Nelson, T. Nelson, Pavlovich, Peterson, Phillips, Quilici, Raney, J. Rice, Russell, Scott, Spring, Steppler, Stickney, Thomas, Tunby, Wallin, Whalen, Zook.
Total 63

Noes: Bachini, Barnhart, Brooke, Cohen, J. DeBruycker, Dowell, S. J. Hansen, J. Johnson, Larson, Measure, Messmore, O'Keefe, Peck, S. Rice, Schye, Simpkins, Southworth, Squires, Stang, Strizich, Toole, Wanzenried, Wyatt, Mr. Speaker.
Total 24

Excused: Bardanouve, Bradley, Galvin, Grady, Grinde, Kadas, Nisbet, Swysgood, Thoft.
Total 9

Absent or not voting: Beck, Dolezal, Fagg, Ream.
Total 4

SB 198 - Representative Stickney moved SB 198 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R.

DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Bardanouve, Bradley, Galvin, Grady, Grinde, Kadas, Swysgood, Thoft.
Total 8

Absent or not voting: S. J. Hansen.
Total 1

SB 251 - Representative Cocchiarella moved SB 251 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: J. Rice.
Total 1

Excused: Bradley, Galvin, Grady, Grinde, Kadas, Swysgood, Thoft.
Total 7

Absent or not voting: None.
Total 0

SB 264 - Representative Cocchiarella moved SB 264 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal,

Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Gervais, Gould, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 70

Noes: Benedict, Bergsagel, R. DeBruycker, Ellis, Feland, Foster, Gilbert, H. S. Hanson, M. Hanson, Hayne, Kasten, Keller, Knox, McCarthy, Menahan, Mercer, L. Nelson, T. Nelson, Peterson, Phillips, Simpkins, Spring, Steppler, Zook.
Total 24

Voted Absentee: Bradley, Aye.

Excused: Galvin, Grady, Grinde, Kadas, Swysgood, Thoft.
Total 6

Absent or not voting: None.
Total 0

SB 320 - Representative Cocchiarella moved SB 320 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Bergsagel, R. DeBruycker, Feland, M. Hanson, Kasten, Knox, Simpkins, Steppler.
Total 8

Excused: Bardanouve, Bradley, Galvin, Grady, Grinde, Kadas, Swysgood, Thoft.
Total 8

Absent or not voting: None.
Total 0

SB 346 - Representative Gilbert moved SB 346, third reading copy, be amended as follows (amendment #1):

Title, line 8.
Strike: "SECTIONS"
Insert: "SECTION"
Strike: "AND 75-10-115"

1. Page 5, lines 6 and 7.
Strike: "Sections" on line 6 through "are" on line 7
Insert: "Section 75-10-110, MCA, is"

Amendment #1 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Bardanouve, Bradley, Galvin, Grady, Grinde, Kadas, Swysgood, Thoft.
Total 8

Absent or not voting: Feland.
Total 1

Representative Gilbert moved SB 346, as amended, be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires,

Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Cobb, Feland, Kasten.
Total 3

Excused: Bradley, Galvin, Grady, Grinde, Kadas, Swysgood, Thoft.
Total 7

Absent or not voting: None.
Total 0

SB 440 - Representative McCaffree moved SB 440 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gould, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Bergsagel, Gilbert.
Total 2

Excused: Bradley, Galvin, Grady, Grinde, Kadas, Swysgood, Thoft.
Total 7

Absent or not voting: Ellis, S. J. Hansen.
Total 2

SB 449 - Representative Harper moved SB 449 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth,

Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Bardanouve, Bradley, Galvin, Grady, Grinde, Kadas, Swysgood, Thoft.
Total 8

Absent or not voting: None.
Total 0

HB 391 - Representative Darko moved Senate amendments to HB 391 be not concurred in. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellison, Feland, Forrester, Foster, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 83

Noes: Benedict, Fagg, Wallin, Zook.
Total 4

Excused: Bardanouve, Bradley, Galvin, Grady, Grinde, Kadas, Swysgood, Thoft.
Total 8

Absent or not voting: Barnett, Elliott, Ellis, Keller, S. Rice.
Total 5

HB 602 - Representative Driscoll moved Senate amendments to HB 602 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring,

Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Bardanouve, Bradley, Galvin, Grady, Grinde, Kadas, Swysgood, Thoft.
Total 8

Absent or not voting: S. J. Hansen.
Total 1

HB 625 - Representative L. Nelson moved Senate amendments to HB 625 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Bradley, Galvin, Grady, Grinde, Kadas, Swysgood, Thoft.
Total 7

Absent or not voting: None.
Total 0

HB 691 - Representative Toole moved Senate amendments to HB 691 be not concurred in. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Boharski, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Gervais, Gould, M. Hanson, Harrington, J. Johnson, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 63

Noes: Barnett, Benedict, Bergsagel, Clark, Cobb, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Foster, Gilbert, H. S. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, McCaffree, Messmore, T. Nelson, Peterson, Simpkins, Spring, Thomas, Zook.
Total 26

Excused: Bardanouve, Bradley, Galvin, Grady, Grinde, Kadas, Swysgood, Thoft.
Total 8

Absent or not voting: Feland, S. J. Hansen, Tunby.
Total 3

HR 3 - Representative Wyatt moved HR 3 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Gervais, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: R. DeBruycker, Feland, Gilbert, L. Nelson, Peterson, Spring, Steppler.
Total 7

Excused: Bradley, Galvin, Grady, Grinde, Kadas, Swysgood, Thoft.
Total 7

Absent or not voting: Boharski, Lee.
Total 2

HJR 45 - Representative Wyatt moved HJR 45 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Gervais, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 78

Noes: Benedict, Bergsagel, R. DeBruycker, Feland, Gilbert, L. Nelson, Peterson, Phillips, Spring, Stang, Steppler, Zook.
Total 12

Excused: Bradley, Galvin, Grady, Grinde, Kadas, Swysgood, Thoft.
Total 7

Absent or not voting: Boharski, Kasten, Mercer.
Total 3

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Hoffman moved the adoption of the committee report.

Representative Wanzenried made a substitute motion SB 107 be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion failed. (42-52)

Thereupon, the Committee of the Whole report was adopted as follows: (56-36)

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Bardanouve, Chairman): 3/23/91
HB 371, introduced bill, be amended as follows:

1. Page 1, line 10.
Following: "fund"
Strike: "$500,000"
Insert: "$200,000"

And, as amended, do pass. Report adopted.

HB 414, introduced bill, do pass. Report adopted.
HB 489, second reading copy, be amended as follows:

1. Page 1, line 6.
Following: "HOMES;"
Insert: "TO APPROPRIATE FUNDS TO THE DEPARTMENT OF FAMILY SERVICES;"

2. Page 3, line 21.
Following: "exceed"
Strike: "$500"
Insert: "$300"

3. Page 3, line 22.
Following: line 21
Insert: "NEW SECTION. Section 2. Appropriation. There is appropriated from the general fund to the department of family services for the biennium ending June 30, 1993, the sum of $266,186 to carry out the purposes of [this act]."
Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 491, second reading copy, amended as follows:

1. Page 4, line 19.
Following: "used to"
Strike: ":"

2. Page 4, line 20.
Strike: "(1)"
Following: "children"
Strike: remainder of line 20 through "providers" on line 23.

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 3/23/91
HB 647, introduced bill, do pass. Report adopted.
HB 746, introduced bill, be amended as follows:

1. Page 1, line 23.
Following: "the"
Strike: "Montana arts council"
Insert: "state coordinator of Indian affairs"

2. Page 1, line 24.
Strike: "nine"
Insert: "11"

3. Page 2, line 2.
Strike: "and"

4. Page 2, line 4.
Following: "administration"
Insert: "; (d) the governor's state coordinator of Indian affairs or the coordinator's designee; and
(e) a representative of the Montana historical society"

5. Page 2, lines 18 and 19.
Following: "the" on line 18
Strike: the remainder of line 18 through "projects" on line 19
Insert: "general"

6. Page 2, line 20.
Strike: "Montana arts council"
Insert: "office of state coordinator of Indian affairs"

And, as amended, do pass. Report adopted.

HB 792, introduced bill, do pass. Report adopted.
HB 940, introduced bill, be amended as follows:

1. Page 5, line 12.
Following: "[14]"

Insert: "after July 1, 1991,"

And, as amended, do pass. Report adopted.

HB 999, introduced bill, do pass. Report adopted.
HJR 46, introduced bill, do pass. Report adopted.

HUMAN SERVICES AND AGING (Russell, Chairman): 3/23/91
HB 981, introduced bill, be amended as follows:

1. Title, line 7.
Strike: "YOUTH"
Insert: "CHILDREN AND ADOLESCENTS"

2. Title, line 8 through line 9.
Strike: "INSTITUTIONS" on line 8 through first "MCA" on line 9
Insert: "FAMILY SERVICES"

3. Page 1, line 12 through page 2, line 2.
Strike: page 1, line 12 through page 2, line 2 in their entirety

4. Pages 1 through 19.
Strike: everything following the enacting clause
Insert: "NEW SECTION Section 1. Purpose. The purpose of [sections 1 through 6] is to establish a comprehensive, coordinated, and child-centered system of services to meet the needs of children and adolescents with severe emotional disturbances. The system of services must:

(1) be community-based;

(2) ensure the rights of the child to a safe environment and to receipt of the most appropriate services in the least restrictive environment possible;

(3) acknowledge that children and adolescents with severe emotional disturbances are suffering from illnesses that are treatable and are entitled to receive treatment for themselves and services for their families from qualified and trained providers through a delivery system that recognizes the important role of the parent in treatment;

(4) be the joint responsibility of a public and private partnership; and

(5) allow for out-of-state treatment of children and adolescents with severe emotional disturbances only when appropriate in-state treatment is not available and as a last resort, based upon clearly stated reasons acceptable to and approved by the interagency committee provided for in [section 3].

NEW SECTION. Section 2. Definitions. As used in [sections 1 through 6], the following definitions apply:

(1) "Departments" means the department of family services provided for in Title 2, chapter 15, part 24, and the department of institutions provided for in Title 2, chapter 15, part 23.

(2) "Child-centered" means that the needs and rights of the child and family direct the types and mix of services provided, preserving the family unit whenever possible.

(3) "Community-based" means that the locus of services as well as case coordination and decisionmaking responsibility, including initiative for financial responsibility, rests at the community level to the greatest extent possible.

NEW SECTION. Section 3. Comprehensive plan. The departments shall jointly develop a comprehensive plan for a system of services for children and adolescents with severe emotional disturbances. The plan must be reviewed by the state youth services council provided for in 52-1-202 and by the mental health planning council provided for in Public Law 99-660. The plan must be presented to each regular session of the legislature. The plan must include but is not limited to:

(1) establishing a definition of children and adolescents with severe emotional disturbances;

(2) identifying the system of services needed to meet the needs of children and adolescents with severe emotional disturbances in accordance with the purpose of [sections 1 through 6];

(3) establishing definitions and standards for the services included within the system of services;

(4) establishing definitions, criteria, and eligibility to be used to identify children and adolescents with severe emotional disturbances needing services;

(5) establishing the target population and number to enable a planned development and implementation of the system of services;

(6) identifying existing resources and services that may be included in the system of services;

(7) identifying the interdepartmental responsibility and coordination with other state agencies needed to provide services to children and adolescents with severe emotional disturbances;

(8) identifying the weaknesses in the system of services and a plan for addressing them, including the associated costs;

(9) recommending a budget for the implementation of the system of services, maximizing funding from federal sources, private sources, local governments and communities, and parents;

(10) establishing standards for parent participation in the cost of services to their child or adolescent according to their ability to pay and for maximizing the use of third- party payment resources;

(11) establishing procedures to utilize existing state and local advisory councils and to expand the councils when appropriate; and

(12) establishing a review process for out-of-state referrals and establishing an interagency committee that is responsible for approving referrals.

NEW SECTION. Section 4. Interagency agreement. The departments shall establish an interagency agreement that is

reviewed and amended annually for the purpose of carrying out their joint responsibilities under [sections 1 through 6]. The agreement must include but is not limited to:

(1) responsibilities, duties, and target populations of each department in the implementation of a system of services for children and adolescents with severe emotional disturbances;

(2) procedures for resolving any matters arising pursuant to the agreement or the requirements of [sections 1 through 6], including case planning, case coordination of individual service plans, and case resolution; and

(3) utilization of the resources of the departments, including shared funding, joint pilot programs provided for in [section 5], and maximized use of other sources of funds, grants, and waivers provided under federal programs.

NEW SECTION. Section 5. Pilot programs. The departments, utilizing the interagency agreement provided for in [section 4], shall develop and implement joint pilot programs to demonstrate the effectiveness of services provided in accordance with the purpose of [sections 1 through 6], to determine the cost of providing the services, and to evaluate the appropriateness of expanding the services to other areas of the state. The pilot programs must:

(1) be implemented according to a request for proposal process;

(2) be targeted toward those children and adolescents with severe emotional disturbances who are currently in out-of-state treatment facilities or who are in imminent need of treatment; and

(3) demonstrate the ability to maximize federal, state, and private funds as well as third-party and parental payments.

NEW SECTION. Section 6. Staff assignment. The department of institutions shall assign sufficient staff resources to provide a liaison between the departments and to provide the mental health expertise to carry out the purposes of [sections 1 through 6].

NEW SECTION. Section 7. Appropriation. (1) There is appropriated to the department of family services from the general fund $400,000 for the biennium beginning July 1, 1991.

(2) The appropriation may be used in a discretionary manner to enable the funds to be matched with available federal and other funds, grants, or gifts in order to maximize the service benefits for children and adolescents with severe emotional disturbances and to demonstrate the partnership that needs to exist between state government, local governments and communities, private providers, parents, and federal and private programs.

(3) The intent of the legislature is that these funds be expended for pilot programs provided for in [section 5]. The information gained from these programs is to be used to develop a planned and shared response to the needs of children and adolescents with severe emotional disturbances, as well as their

families, and to present this response to each regular session of the legislature.

NEW SECTION. Section 8. Repealer. Section 53-4-118, MCA, is repealed.

NEW SECTION. Section 9. Codification instruction. [Sections 1 through 6] are intended to be codified as an integral part of Title 53, chapter 4, part 1, and the provisions of Title 53, chapter 4, part 1, apply to [sections 1 through 6].

NEW SECTION. Section 10. Effective date. [This act] is effective July 1, 1991."

And, as amended, do pass. Report adopted.

HB 994, introduced bill, be amended as follows:

1. Page 13, lines 14 and 15.
Strike: "Each day of violation constitutes a separate violation."

2. Page 14, line 2.
Following: "may"
Insert: ", in the case of an intentional violation of 50-53-101 through 50-53-109 and [sections 4 through 17],"

And, as amended, do pass. Report adopted.

SB 174, third reading copy, be amended as follows:

1. Page 2, line 24.
Strike: "succeed himself"
Insert: "serve consecutive 5-year terms"

2. Page 6.
Following: line 22
Insert: "NEW SECTION. Section 7. Transition -- initial appointments. (1) On September 1, 1991, the governor shall appoint one person to a 5-year term on the board of psychologists.

(2) On September 1, 1992, the governor shall appoint one person to a 5-year term on the board and one person to a 1-year term on the board. At the expiration of the 1-year term, the governor shall reappoint the same board member to a 5-year term. At the expiration of the 5-year term, appointments must be made in accordance with 2-15-1851.

(3) On September 1, 1993, the governor shall appoint one person to a 1-year term on the board and one person to a 2-year term. At the end of those terms, the governor shall reappoint those same board members each to a 5-year term. At the expiration of the 5 year terms, appointments must be made in accordance with 2-15-1851."
Renumber: subsequent sections

3. Page 7, line 11.
Following: "7"
Strike: ", 8"
Insert: "through 9"

And, as amended, be concurred in. Report adopted.

SB 205, third reading copy, be amended as follows:

1. Title, line 11.
Following: "CHILDREN;"
Insert: "TO PROVIDE FOR ACCESS BY THE INTERAGENCY STAFFING GROUP TO CERTAIN RECORDS;"

2. Title, line 11.
Following: "41-3-205,"
Insert: "41-5-602, 41-5-603,"

3. Page 8, line 5.
Following: line 4
Insert: "Section 6. Section 41-5-602, MCA, is amended to read:

"41-5-602. Law enforcement records. (1) No law enforcement records concerning a youth, except traffic records, may be open to public inspection or their contents disclosed to the public unless the records are directly related to an offense to which publicity must be allowed under subsection (2) of 41-5-601 or unless inspection is ordered by the court.

(2) Inspection of law enforcement records concerning a youth, which records are not open to public inspection under subsection (1), is permitted prior to the sealing of the records by:

(a) a youth court having the youth currently before it in any proceeding;

(b) the department if it is investigating, supervising, or providing services to the youth;

(c) the officers of agencies having legal custody of the youth and those responsible for his supervision after release;

(d) any other person, by order of the court, having a legitimate interest in the case or in the work of the law enforcement agency;

(e) law enforcement officers of Montana, when necessary for the discharge of their immediate duties;

(f) a district court in which the youth is convicted of a criminal offense, for the purpose of a presentence investigation;

(g) the county attorney; ~~or~~

(h) the youth, his parent, guardian, or counsel; or

(i) members of a local interagency staffing group provided for in [section 3]."

Section 7. Section 41-5-603, MCA, is amended to read:

"41-5-603. Youth court and department records. (1) Youth court and youth court-related department records, including social, medical, and psychological records, reports of preliminary inquiries, predispositional studies, and supervision records of

probationers, are open to inspection prior to the sealing of the records only to the following:

(a) the youth court and its professional staff;

(b) representatives of any agency providing supervision and having legal custody of a youth;

(c) any other person, by order of the court, having a legitimate interest in the case or in the work of the court;

(d) any court and its probation and other professional staff or the attorney for a convicted party who had been a party to proceedings in the youth court when considering the sentence to be imposed upon such party;

(e) the county attorney;

(f) the youth who is the subject of the report or record, after he has been emancipated or reaches the age of majority; and

(g) members of a local interagency staffing group provided for in [section 3].

(2) All or any part of records information secured from records listed in subsection (1) of this section, when presented to and used by the court in a proceeding under this chapter, shall also be made available to the counsel for the parties to the proceedings.

(3) Petitions, motions, and other pleadings filed in a case, including findings, verdicts, orders, and decrees, shall be open to public inspection only when related to an offense for which access must be allowed under 41-5-601.

(4) All information obtained in discharge of an official duty by any officer or other employee of the youth court or the department shall be privileged and shall not be disclosed to anyone other than the judge and others entitled under this chapter to receive such information, unless otherwise ordered by the judge.

(5) After youth court and department records, reports of preliminary inquiries, predispositional studies, and supervision records of probationers are sealed, they are not open to inspection except, upon order of the youth court, for good cause to:

(a) those persons and agencies listed in subsection (1); and

(b) adult probation professional staff preparing a presentence report on a youth who has reached the age of majority.""

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

SB 256, third reading copy, be concurred in. Report adopted.
SB 277, third reading copy, be concurred in. Report adopted.
SB 284, third reading copy, be concurred in. Report adopted.
SB 326, third reading copy, be amended as follows:

1. Title, line 8.
Following: "CORPORATIONS"
Insert: "THAT DO NOT ALREADY INCLUDE CERTAIN CONSUMER MEMBERS"

2. Page 2, line 12.
Following: "addition,"
Insert: "unless the groups in subsections (3)(a) and (3)(b) are already represented,"

And, as amended, be concurred in. Report adopted.

SB 366, third reading copy, be amended as follows:

1. Page 2, lines 13 and 14.
Strike: "$50 LIMIT MUST BE MADE AVAILABLE FOR EACH OF THESE SERVICES"
Insert: "$70 payment must be made for each mammography examination performed"

And, as amended, be concurred in. Report adopted.

SB 393, third reading copy, be amended as follows:

Page 4, line 18.
Strike: "(1)"
Renumber: subsequent subsections

1. Page 5, line 7.
Following: ";"
Insert: "and"

2. Page 5, line 9.
Strike: "; and"
Insert: "."

3. Page 5, lines 10 through 22.
Following: line 9
Strike: subsection (d) in its entirety

And, as amended, be concurred in. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Squires, Chairman): 3/23/91
HB 803, introduced bill, do pass. Report adopted.
HB 995, introduced bill, be amended as follows:

1. Title, line 8.
Following: "DEBT;"
Insert: "ALLOWING MUTUALLY AGREEABLE LUMP-SUM SETTLEMENTS;"

2. Page 5.
Following: line 2
Insert: "NEW SECTION. Section 3. Mutually agreeable lump-sum settlements. During the period beginning October 1, 1991, and ending September 30, 1992, a workers' compensation claimant and the state fund may, regardless of the lump-sum law in effect on the date of the injury, mutually agree to a lump-sum settlement of a

claim. If a mutual agreement is not reached, the lump-sum law in effect on the date of the injury applies."
Renumber: subsequent sections

3. Page 9, line 3.
Following: "amount"
Insert: ", regardless of the source,"

4. Page 12, line 24.
Page 13, line 2.
Following: "1"
Strike: "and 2"
Insert: "through 3"

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Raney, Chairman): 3/23/91
SB 313, third reading copy, be amended as follows:

1. Title, line 14.
Following: line 13
Insert: "REQUIRING A STUDY OF THE FEASIBILITY OF INCREASING WATER USER FEES TO PAY FOR CONSTRUCTION AND REHABILITATION OF STORAGE STRUCTURES AND TO IMPROVE COORDINATION AND ACCOUNTING OF THE FEES;"

2. Page 7, line 8.
Following: line 7
Insert: "NEW SECTION. Section 6. Study of water user fees. (1) The department of natural resources and conservation shall conduct and coordinate a study to assess the feasibility of increasing the fees charged to diversionary water users to assist in the repayment of a greater portion of water storage project costs associated with diversionary benefits and to assess opportunities for improving coordination and accounting of those fees. The options the department must assess include but are not limited to requiring diversionary water users to pay standardized fees to the department for the use of public water that is provided by water storage projects:

(a) on a per-volume-used basis; and

(b) according to the amount of water appropriated to the user by the department and the priority date of the appropriation.

(2) A written report of the study findings must be submitted to the water policy committee by July 1, 1992."
Renumber: subsequent sections

3. Page 21, line 12.
Following: "section"
Strike: "7"
Insert: "8"

4. Page 26, line 7.
Following: "section"

Strike: "7"
Insert: "8"

5. Page 26, line 15.
Following: "Section"
Strike: "7"
Insert: "8"

6. Page 26, line 18.
Strike: "7"
Insert: "8"

And, as amended, be concurred in. Report adopted.

SB 425, third reading copy, be amended as follows:

1. Title, line 10.
Following: ";"
Insert: "PROVIDING AN APPROPRIATION;"

2. Title, line 11.
Following: "PROVIDING"
Insert: "AN IMMEDIATE EFFECTIVE DATE AND"

3. Page 4, line 2.
Following: "years"
Insert: ", but it may be renewed once for up to 10 years, except that a lease of water made available from the development of a water conservation or storage project is restricted to a term of not more than 20 years"

4. Page 4, line 16.
Following: ":"
Insert: "Upon receiving notice of a lease renewal, the department shall notify other appropriators potentially affected by the lease and shall allow 30 days for submission of new evidence of adverse effects to other water rights. A lease authorization is not required for a renewal unless an appropriator other than an appropriator described in subsection (2)(i) submits evidence of adverse effects to his rights that has not been considered previously. If new evidence is submitted, a lease authorization must be obtained according to the requirements of 85-2-402."

5. Page 5, line 10.
Strike: "measuring"

6. Page 5, line 14.
Following: "board"
Strike: "and"
Insert: ","
Following: "commission"
Strike: "a"
Insert: ", and water policy committee an annual"

7. Page 5, line 15.
Following: "December 1"
Strike: ", 1991"
Insert: "of each year"

8. Page 5, line 19.
Following: "December 1"
Strike: ", 1991"
Insert: "of any year"

9. Page 5, line 25.
Strike: "1992"
Insert: "1998"
Following: "."
Insert: "(4) This section does not create the right for a person to bring suit to compel the renewal of a lease that has expired."
Strike: "1995"
Insert: "1999"

10. Page 6, line 20.
Page 7, line 2.
Strike: "1995"
Insert: "1999"

11. Page 6, line 22.
Page 7, line 8.
Strike: "1995"
Insert: "1999"

12. Page 7.
Following: line 2
Insert: "NEW SECTION. Section 5. Appropriation. There is appropriated for the biennium ending June 30, 1993, to the department of fish, wildlife, and parks $22,500 from the federal special revenue fund and $7,500 from the state special revenue fund provided for in 87-1-601(1) to lease existing water rights as provided in 85-2-436(2)(a)."
Renumber: subsequent sections

13. Page 7.
Following: line 8
Insert: "NEW SECTION. Section 8. Effective date. [This act] is effective on passage and approval."

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable Joseph P. Mazurek March 23, 1991
President of the Senate
State Capitol
Helena, Montana 59620

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

Dear President Mazurek and Speaker Harper:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to Senate Bill 158, "AN ACT ESTABLISHING A SYSTEM FOR TRANSFER OF A FARM IMPLEMENT DEALERSHIP TO A DESIGNATED FAMILY MEMBER OR DESIGNATED SUCCESSOR; ESTABLISHING RIGHTS AND DUTIES OF THE DEALER, GRANTOR, AND SUCCESSOR; PROVIDING A PROCEDURE TO DETERMINE THE RIGHT TO SUCCEED IN DEALERSHIP OWNERSHIP; PROVIDING THAT A GRANTOR MAY NOT CANCEL A DEALERSHIP BASED ON A NATURAL DISASTER; PROVIDING FOR REPURCHASE OF DEALERSHIP INVENTORY AT 100 PERCENT OF NET COST UPON CANCELLATION OF A DEALERSHIP; PROVIDING FOR DAMAGES AND PENALTIES; AND AMENDING SECTIONS 30-11-702, 30-11-712, AND 30-11-801, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

Senate Bill 158 establishes a system for transfer of a farm implement dealership to a designated family member or designated successor. In addition, the bill establishes certain rights of succession, dealership cancellation requirements in the event of natural disaster, criminal penalties and treble damages for violation of its provisions, and repurchase requirements of dealership inventory.

As presented to me, the section of Senate Bill 158 concerning "designated family member" and "designated successor" runs afoul of long established contract principles calling for mutual consent between the parties to a contract. As written, Senate Bill 158 would mandate that a company accept a designated successor or designated family member. I have provided language which fulfills the bill's intention of assisting designated family members and designated successors in obtaining dealership rights from an owner by requiring that a grantor may not unreasonably withhold consent to that transfer.

Senate Bill 158 also establishes criminal sanctions for violation of its provisions. The matters addressed in this bill are those concerning the relationship between an implement dealer and an implement manufacturing company. This is clearly not the kind of relationship wherein criminal sanctions have a role. I have amended the bill to remove those sanctions.

Treble damages are also a provision of this bill. As the current statute allows a civil action with damages and attorney fees, it seems unnecessarily punitive and inappropriate to establish this most rare instance of treble damages in a contract action. I have amended the bill to return it to the provisions of the current statute.

Finally, Senate Bill 158 appropriately provides protection for dealership owners who through natural disaster such as a drought, might be deprived of their dealership. The language in the bill was unnecessarily vague and open to challenge. I have amended it to reflect the intention to protect a dealer against natural disasters but removed the vague language.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
SENATE BILL 158
(REFERENCE COPY, AS AMENDED)
MARCH 23, 1991

1. Title, lines 12 through 13.
Following: "A DEALERSHIP;"
Strike: "AND PENALTIES;"

1A. Title, lines 13 and 14.
Following: "30-11-702" on line 13
Strike: ","
Strike: "30-11-712," on line 14

1B. Page 2, line 10.
Following: "dealer"
Insert: "."

2. Page 2, beginning at line 11 and continuing on page 3.
Strike: lines 11 through 25 on page 2 and lines 1 through 4 on page 3
Insert: "(6) "Designated successor" means a person designated in writing by the retiring dealer to succeed him in the dealership or, in the case of an incapacitated dealer, a person appointed by a court as the legal representative of the dealer's property or the appointed and qualified personal representative and the testamentary trustee of a deceased dealer."

3. Page 4, lines 3 through 17.
Strike: new section 2 in its entirety
Insert: "NEW SECTION. Section 2. Transfer. A grantor may unreasonably withhold consent to any transfer of the dealer's business or transfer of the stock or other interest in the dealership to a designated member or members of the family of the dealer, to the principal owner of the dealership, or to a person whom the dealer wishes to designate as a designated successor. The grantor may require that the designated successor or designated family member meet the reasonable requirements of the grantor. The requirements must be specified and made available to any dealer upon request but may not extend beyond business, financial, character, and experience qualifications. If a grantor determines that a proposed transferee does not meet the requirements, the

grantor shall give the dealer written notice stating the specific reasons for withholding consent."

4. Page 6, lines 24 and 25.
Following: "area"
Strike: remainder of line 24 through "control" on line 25

5. Page 7, lines 17 through 19.
Strike: new section 7 in its entirety
Renumber subsequent sections

6. Page 7, line 23.
Following: "to"
Strike: "three times"

7. Page 9, line 13.
Following: "made"
Strike: "upon"
Insert: "within 60 days of the"

8. Page 10, lines 8 and 11.
Strike: "8"
Insert: "7"

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 1007, introduced by Kadas, Peck, Quilici, Nisbet, Pinsoneault, Jacobson, Fritz, Jergeson, Yellowtail, Halligan, Svrcek, Van Valkenburg, Doherty, referred to Committee on Taxation
HB 1008, introduced by Bardanouve, Thoft, Harding, Connelly, Hockett (by request of the Long-Range Building Subcommittee), referred to Committee on Appropriations
HB 1009, introduced by Pavlovich, Daily, Gervais, Quilici, Phillips, Harrington, Larson, J. Johnson, D. Brown, G. Beck, McCarthy, Hayne, Whalen, Wallin, Lynch, Stimatz, Nathe, Tveit, Menahan, Kennedy, Williams, Strizich, Kilpatrick, referred to Committee on Appropriations
HB 1010, introduced by D. Brown, referred to Committee on Appropriations

MOTIONS

Representative Driscoll moved HB 623 be taken from the Committee on Fish and Game and rereferred to the Committee on Appropriations. Motion carried.

Representative Driscoll moved HB 746 and HB 792 be taken from the Committee on Education and Cultural Resources and rereferred to the Committee on Appropriations. Motion carried.

Representative Driscoll moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 391. Motion carried.

Representative Driscoll moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 691. Motion carried.

Representative O'Keefe moved he and Representative Bradley be allowed to change their votes on SJR 19, third reading, from yes to no. Motion carried.

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the free conference committee on Senate amendments to HB 391:

Representative Darko, Chairman
Representative Brooke
Representative J. Rice

Mr. Speaker appointed the following members to the conference committee on Senate amendments HB 691:

Representative Toole, Chairman
Representative Measure
Representative R. Johnson

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 8:00 a.m., Monday, March 25, 1991. Motion carried.

House adjourned at 11:50 a.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

SIXTY-FOURTH LEGISLATIVE DAY

Helena, Montana
March 25, 1991

House Chambers
State Capitol

House convened at 8:15 a.m. Mr. Speaker in the Chair. Invocation by Reverend Randy Olson. Pledge of Allegiance to the Flag.

Roll call. All members present except Galvin, H.S. Hanson, Larson, Thomas, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Bardanouve, Chairman): 3/25/91
HB 2, introduced bill, do pass as amended.

(Refer to Introduced Bill)

Strike everything after the enacting clause and insert:

"NEW SECTION. Section 1. Short title. [This act] may be cited as "The General Appropriations Act of 1991".

NEW SECTION. Section 2. Limit on personal services transfer -- exceptions. (1) Funds appropriated for personal services or indicated in legislative intent as having been appropriated for personal services may not be expended under any other category unless the approving authority approves a specific agency request justified on the basis of documented cost savings or except as specified in subsection (2). The approving authority shall submit its analysis of the documented cost savings to the legislative auditor. Wages and fringe benefits must be separately documented from other cost savings. The legislative audit committee shall review the approving authority's analysis and report to the 53rd legislature on potential long-term budget impacts.

(2) If an agency is unable to recruit and hire professional positions funded in the appropriation, funds appropriated for personal services may be used to fund an agreement or contract to provide services that are identical to those services performed by an authorized position. The amount used for the agreement or contract may not be more than the amount authorized for the position less any personal service reduction. The agency director shall certify to the approving authority, as defined in House Bill No. 454, or his designated representative that the agency is unable to fill the position and that the services performed by that position are necessary.

NEW SECTION. Section 3. Reorganization. If any agency reorganizes during the 1993 biennium, the agency shall present for fiscal 1992 and fiscal 1993 by program:

(1) a restatement of the FTE records and financial records consistent with the reorganized structure; and

(2) a comparison of the original operating budget to the revised operating budget that reflects the reorganization. Reorganization means transfer of functions or five or more FTE from one program to another.

NEW SECTION. Section 4. Natural resources damage assessment repayment. In the natural resource damage assessment and litigation against the atlantic richfield company, the state shall seek repayment of any funds appropriated in [this act] that are expended by a state agency for the purpose of conducting the assessment and/or litigation. This repayment must include interest on the funds at a rate commensurate with rates earned in the short-term investment pool.

NEW SECTION. Section 5. Personal services reduction. The line item for "personal services reduction" reduces the agency's total personal services appropriations. The agency, with the approval of the approving authority as defined in House Bill No. 454, shall determine the proportional share of the amount to be applied to each program and reduce that program's fiscal 1993 appropriation accordingly. Program operational plans approved by the approving authority must reflect this reduction in the personal services expenditure category.

NEW SECTION. Section 6. Severability. If any section, subsection, sentence, clause, or phrase of [this act] is for any reason held unconstitutional, such decision does not affect the validity of the remaining portions of [this act].

NEW SECTION. Section 7. Audit cost. Amounts appropriated for audits may be transferred between fiscal years. Agencies shall reserve enough cash in each fund to pay for audit costs and shall, to the maximum extent allowable under federal regulations, charge audit costs to federal funds.

NEW SECTION. Section 8. Totals not appropriations. The totals shown in [this act] are for informational purposes only and are not appropriations.

NEW SECTION. Section 9. Effective date. [This act] is effective July 1, 1991.

NEW SECTION. Section 10. Appropriations. The following money is appropriated for the respective fiscal years:

Fiscal 1992						Fiscal 1993					
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
			A. GENERAL GOVERNMENT AND HIGHWAYS								
LEGISLATIVE AUDITOR (1101)											
1. Audit and Examination Program (01)											
1,154,114	1,108,855				2,262,969	1,149,898	1,104,805				2,254,703
a. Additional Audit Staff (Line Item)											
117,631					117,631		117,376				117,376
b. Legislative Automation Plan (Line Item)											
6,401	6,151				12,552	12,706	12,208				24,914
c. Adjusted Cost Estimates (Line Item)											
12,476	11,987				24,463	4,040	3,883				7,923
Total											
1,172,991	1,244,624				2,417,615	1,166,644	1,238,272				2,404,916
LEGISLATIVE FISCAL ANALYST (1102)											
1. Analysis and Review (01)											
804,162					804,162	851,915					851,915
a. Legislative Contingencies (Line Item)											
20,000					20,000						
b. Legislative Requests (Line Item)											
20,000					20,000						
Total											
844,162					844,162	851,915					851,915
Items 1a and 1b are biennial appropriations.											
LEGISLATIVE COUNCIL (1104)											
1. Interim Studies and Conferences (05)											
597,365	12,000				609,365						
2. Reimbursable Activities Program (07)											
	593,470				593,470		251,120				251,120
3. Legislative Council Operations (10)											

Fiscal 1992						Fiscal 1993					
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
1,342,917	458,726				1,801,643	1,876,200	254,363				2,130,563
a. 1991 Base Pay Adjustment (Line Item)											
34,161					34,161	30,349					30,349
b. One Added FTE (Line Item)											
23,865					23,865	27,179					27,179
c. Reapportionment Technical Support (Line Item)											
138,486					138,486	11,213					11,213
d. Legislative Computer Network (Line Item)											
94,530					94,530	84,166					84,166
Total											
2,231,324	1,064,196				3,295,520	2,029,107	505,483				2,534,590

Item 1 is a biennial appropriation. Individual activities are budgeted as follows:

Joint Interim Committees		$ 82,470
Statewide Issues		25,000
Districting and Apportionment Commission		43,000
Revenue Oversight Committee		37,983
Coal Tax Oversight Committee		12,000
Administrative Code Committee		14,048
Select Committee on Indian Affairs	7,200	
National Conference of State Legislatures		189,706
Council of State Governments		177,958
Regional Conferences		20,000

Expenditure of funds for item 3d is contingent on approval by the joint legislative administration committee.

ENVIRONMENTAL QUALITY COUNCIL (1111)

1. Environmental Quality Program (01)											
266,170					266,170	262,161					262,161
a. Additional Staff (Line Item)											
15,800					15,800	15,800					15,800
2. Water Policy Committee (02)											

	Fiscal 1992						Fiscal 1993				
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
	26,451				26,451						
Total											
281,970	26,451				308,421	277,961					277,961
Item 2 is a biennial appropriation.											
CONSUMER COUNSEL (1112)											
1. Administration Program (01)											
	798,599				798,599		816,783				816,783
a. Contract Services (Line Item)											
	100,000				100,000		100,000				100,000
b. Increased Travel (Line Item)											
	6,607				6,607		6,591				6,591
Total											
	905,206				905,206		923,374				923,374
Item 1a is for expert witness fees for unanticipated cases.											
JUDICIARY (2110)											
1. Supreme Court Operations (01)											
1,358,807					1,358,807	1,356,914					1,356,914
a. Audit (Line Item)											
15,626					15,626						
b. Court Automation (HB 320) (Line Item)											
101,646					101,646	101,647					101,647
c. Law Clerk Parity (Line Item)											
27,535					27,535	27,497					27,497
d. Clerk of Court Training (Line Item)											
4,000					4,000	4,000					4,000
2. Boards and Commissions (02)											
245,836					245,836	245,973					245,973

	Fiscal 1992					Fiscal 1993				
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
3. Law Library (03)											
551,730					551,730	551,801					551,801
a. Automated Legal Data Bases (Line Item)											
192,050					192,050	202,773					202,773
b. Law Book Inflation (Line Item)											
10,556					10,556	9,265					9,265
4. District Court Operations (04)											
2,534,319					2,534,319	2,527,692					2,527,692
5. Water Courts Supervision (05)											
	489,161				489,161		475,084				475,084
a. Audit (Line Item)											
	1,736				1,736						
6. Clerk of Court (06)											
168,081					168,081	167,757					167,757
7. Personal Services Reduction (Line Item)											
						40,566	13,714				54,280
Total											
5,210,186	490,897				5,701,083	5,154,753	461,370				5,616,123

Except for $16,000 for law library use, expenditures in item 3a are limited to the amount of revenue collected from reimbursable automated legal data base usage by other entities.

GOVERNOR'S OFFICE (3101)

1. Executive Office Program (01)											
1,045,887	80,395				1,126,282	1,046,886	80,395				1,127,281
a. Audit (Line Item)											
18,152					18,152						
2. Mansion Maintenance Program (02)											
60,376					60,376	61,129					61,129
3. Air Transportation Program (03)											
318,990					318,990	160,628					160,628

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
4. Office of Budget and Program Planning (04)												
	825,820					825,820	857,098					857,098
a. Audit (Line Item)												
	17,362					17,362						
5. Northwest Regional Power Act (09)												
			413,935			413,935			413,648			413,648
6. Lieutenant Governor (12)												
	176,401					176,401	176,191					176,191
7. Citizens' Advocate Office (16)												
	70,526					70,526	71,205					71,205
8. Mental Disabilities Board of Visitors (20)												
	138,876		48,500			187,376	138,935		48,500			187,435
9. Personal Services Reduction (Line Item)												
							71,960	2,209	12,258			86,427
Total												
	2,672,390	80,395	462,435			3,215,220	2,440,112	78,186	449,890			2,968,188
SECRETARY OF STATE'S OFFICE (3201)												
1. Records Management Program (01)												
	886,949					886,949	887,432					887,432
a. Audit (Line Item)												
	13,416					13,416						
b. Printing Costs (Line Item)												
	19,924					19,924	58,962					58,962
c. Microfilming Project (Line Item)												
	25,000					25,000	25,000					25,000
d. Fireproof Document Storage (Line Item)												
	45,000					45,000						
2. Administrative Code Program (03)												
		176,007				176,007		177,238				177,238

	Fiscal 1992					Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
a. Audit (Line Item)	2,368					2,368						
3. State Agency Record Management (05)				335,383		335,383				336,922		336,922
Total	990,289	178,375		335,383		1,504,047	971,394	177,238		336,922		1,485,554

If House Bill No. 897 is not enacted, the appropriation in item 3 is transferred to the department of administration.

COMMISSIONER OF POLITICAL PRACTICES (3202)

1. Administration (01)	111,249					111,249	113,562					113,562
a. Audit (Line Item)	2,526					2,526						
b. Part-Time Assistant (Line Item)	10,406					10,406						
c. Staff Termination Pay (Line Item)	1,150					1,150	550					550
Total	125,331					125,331	114,112					114,112

Item 1b is a biennial appropriation.

The commissioner of political practices is to charge a fee for the Campaign Finance Report book that is sufficient to recover the costs of printing and distribution of the book. Public libraries are exempt from the charge for the book. The proceeds from the sale of the book, as well as the fees collected for reimbursement of copier charges, must be deposited in the general fund.

STATE AUDITOR'S OFFICE (3401)

1. Central Management (01)	245,920					245,920	245,962					245,962
a. Audit (Line Item)	5,048					5,048						
b. Computer System Replacement (Line Item)												

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
	97,930					97,930	52,070					52,070
2. State Payroll (02)												
	203,241	200,130				403,371	188,041	215,961				404,002
a. Audit (Line Item)												
	33,461					33,461						
b. Payroll System Data Processing -- ISD (Line Item)												
		160,218				160,218		144,394				144,394
3. Insurance Program (03)												
	997,791					997,791	997,578					997,578
a. Audit (Line Item)												
	5,050					5,050						
b. Medicare Compliance Specialist (Line Item)												
	30,317					30,317	28,265					28,265
4. Securities Program (04)												
	298,758					298,758	298,568					298,568
a. Audit (Line Item)												
	5,050					5,050						
b. Office Equipment (Line Item)												
	4,300					4,300						
5. Fiscal Control and Management Program (10)												
	399,630	148,697				548,327	400,385	148,697				549,082
a. Audit (Line Item)												
	33,467					33,467						
b. Warrant System Data Processing -- ISD (Line Item)												
	99,268					99,268	89,464					89,464
c. Warrant Writing System Equipment (Line Item)												
	40,527					40,527						
6. Personal Services Reduction (Line Item)												
							65,894	8,281		1		74,176

Fiscal 1992						Fiscal 1993					
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
Total											
2,499,758	509,045				3,008,803	2,234,439	500,771		1		2,735,209

The appropriation in item 1b is for a computer system. The agency shall follow the system design recommendations approved by the information services division of the department of administration.

The state auditor shall implement a fee system for the purpose of recovering the operational cost of issuing warrants from all user agencies on an equitable basis. It is intended that, beginning in fiscal 1994, the general fund must be reimbursed for services provided to user agencies that are not funded entirely by the general fund. Revenues collected as reimbursement fees from user agencies for costs of issuing state warrants must be deposited in a state special revenue account. The state auditor shall submit the cost recovery plan and the 1995 biennium fee schedule by agency to the office of budget and program planning and to the legislative fiscal analyst by June 1, 1992.

CRIME CONTROL DIVISION (4107)

1. Justice System Support Service (01)										
442,801	58,665	166,462			667,928	442,958	58,665	156,462		658,085
a. Audit (Line Item)										
5,176					5,176					
b. Crime Victims' Compensation Pass-Through Grants (Line Item)										
	375,000				375,000		375,000			375,000
c. Juvenile Justice Pass-Through Grants (Line Item)										
		221,500			221,500			221,500		221,500
d. Victims' Assistance Pass-Through Grants (Line Item)										
		224,000			224,000			224,000		224,000
e. Drug Education Pass-Through Grants (Line Item)										
		427,000			427,000			427,000		427,000
f. Drug Enforcement Pass-Through Grants (Line Item)										
		1,240,000			1,240,000			1,250,000		1,250,000
g. Narcotics Control -- Grant Administration (Line Item)										
27,000		18,101			45,101	54,000		1,102		55,102
h. Drug Enforcement Pass-Through Grants (Modified) (Line Item)										
		904,000			904,000			921,000		921,000
i. Juvenile Justice -- Support Services (Line Item)										
7,500					7,500	7,500				7,500

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
j. Victims' Assistance -- Grant Administration (Line Item)	29,116					29,116		25,985				25,985
k. Victims' Assistance Pass-Through Grants (Modified) (Line Item)			109,000			109,000			109,000			109,000
l. Drug Education -- Grant Administration (Line Item)			11,720			11,720			11,720			11,720
m. Drug Education Pass-Through Grants (Modified) (Line Item)			115,218			115,218			115,218			115,218
Total	482,477	462,781	3,437,001			4,382,259	504,458	459,650	3,437,002			4,401,110

Items 1b through 1f, 1h, 1k, and 1m are biennial appropriations.

All remaining federal pass-through grant appropriation authority for the 1991 biennium is authorized to continue into fiscal 1992 and fiscal 1993.

The board of crime control shall charge tuition and fees sufficient to reimburse the general fund for costs associated with the juvenile justice training program and for technical assistance provided to local law enforcement agencies. The tuition and fees collected must be deposited in the general fund.

HIGHWAY TRAFFIC SAFETY (4108)											
1. Highway Traffic Safety Division (36)	200,000	74,087	904,614			1,178,701	200,000	74,686	903,504			1,178,190
a. Audit (Line Item)		1,013	1,013			2,026						
Total	200,000	75,100	905,627			1,180,727	200,000	74,686	903,504			1,178,190
DEPARTMENT OF JUSTICE (4110)											
1. Legal Services Division (01)	1,197,074					1,197,074	1,190,736					1,190,736
a. Case-Related Travel (Line Item)	9,500					9,500	9,500					9,500
b. Legal Fees and Expert Witnesses (Line Item)	100,000					100,000						

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
c. Attorney-Indian Legal Jurisdiction (Line Item)												
	49,543					49,543	44,941					44,941
2. Agency Legal Services (06)												
				590,754		590,754				590,707		590,707
3. Gambling Control Division (07)												
		1,425,555				1,425,555		1,425,098				1,425,098
4. Motor Vehicle Division (12)												
	4,856,419	128,000	50,000			5,034,419	4,895,297	88,000	50,000			5,033,297
5. Highway Patrol Division (13)												
		11,121,604	500,174			11,621,778		10,974,844	498,241			11,473,085
a. Additional Patrol Officers and Dispatchers (Line Item)												
		309,600				309,600		218,404				218,404
6. Law Enforcement Services Division (18)												
	933,946	357,414	32,000			1,323,360	922,791	335,969	32,000			1,290,760
a. Special Investigation -- West (Line Item)												
	121,327		336,898			458,225	458,199					458,199
b. Fire Prevention Grant (Line Item)												
			10,000			10,000						
c. Identification Bureau Federal Grant (Line Item)												
			91,326			91,326			91,326			91,326
7. County Attorney Payroll (19)												
	1,056,404					1,056,404	1,057,745					1,057,745
8. Law Enforcement Academy Division (22)												
	621,043					621,043	620,668					620,668
9. Central Services Division (28)												
	173,023	202,278		9,623		384,924	174,864	203,000		9,689		387,553
a. Audit (Line Item)												
	16,628	19,440		925		36,993						
10. Data Processing Division (29)												
	664,994	246,000				910,994	658,845	252,000				910,845

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
a. Data Processing Air Conditioner (Line Item)	45,000					45,000	4,400					4,400
11. Extradition and Transportation of Prisoners (30)	193,648					193,648	193,640					193,640
12. Forensic Science Division (32)	955,331	250,134				1,205,465	888,766	232,705				1,121,471
13. Personal Services Reduction (Line Item)							317,390	391,162	18,335	19,140		746,027
Total	10,993,880	14,060,025	1,020,398	601,302		26,675,605	10,803,002	13,338,858	653,232	581,256		25,376,348

Item 1b is a biennial appropriation.

The legislature recognizes that costs associated with the Crow coal case, water rights, and tribal litigation may exceed the appropriation in item 1, and in that event, the department will need to request a supplemental appropriation from the 1993 legislature to adequately represent the state.

If federal or other funds can be obtained for item 6a in fiscal 1993, the federal or other funds must replace the general fund appropriation in item 6a and the general fund appropriation must be reduced by the amount of federal or other funds received. The total appropriation contained in item 6a may not be increased.

DEPARTMENT OF HIGHWAYS (5401)

1. General Operations Program (01)	6,687,823	2,034,400				8,722,223	6,463,556	2,034,400				8,497,956
a. Audit (Line Item)	71,028					71,028						
b. Road Reporting System (Line Item)	12,750					12,750	13,630					13,630
c. Map Digitizing (Line Item)	120,000					120,000	120,000					120,000
d. Kalispell Bypass Study (Line Item)		150,000				150,000						
2. Construction Program (02)	63,591,944	143,470,743				207,062,687	66,986,820	144,991,296				211,978,116
a. City Park Rest Areas (Line Item)												

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
		200,000				200,000		200,000				200,000
3. Maintenance Program (03)												
		47,805,450				47,805,450		47,591,459				47,591,459
a. Monitoring/Upgrading Underground Fuel Tanks (Line Item)												
		1,109,800				1,109,800		1,109,800				1,109,800
4. State Motor Pool (07)												
				753,929		753,929				599,665		599,665
5. Equipment Program (08)												
				13,544,943		13,544,943				13,404,635		13,404,635
6. Interfund Transfers Program (11)												
		14,208,404				14,208,404		17,149,771				17,149,771
7. Stores Inventory (12)												
		15,460,726				15,460,726		14,901,886				14,901,886
8. Gross Vehicle Weight Division (22)												
		3,661,647				3,661,647		3,758,767				3,758,767
a. Automated Weigh Stations (Line Item)												
		243,820				243,820		68,700				68,700
b. Gross Vehicle Weight Officer Training (Line Item)												
		30,165				30,165		25,165				25,165
Total												
		153,203,557	145,655,143	14,298,872		313,157,572		158,389,554	147,025,696	14,004,300		319,419,550

The department is directed to submit to the 1993 legislature a construction work plan for the 1995 biennium that is detailed by year and project. This work plan must specify, by road system or project area, proposed projects on which $1 million or more would be spent during the 1995 biennium and an aggregate cost for projects with anticipated expenditures of less than $1 million. Costs must be detailed by year and project.

The department may adjust appropriations and FTE in the construction, interfund transfers, and maintenance programs between fiscal years to reflect actual expenditures related to the construction work plan and maintenance activities.

The department may adjust appropriations in the construction program between fund types, provided that the adjustment does not exceed 10% of the total appropriation established by the legislature for the construction program. All transfers between fund types must be fully explained and justified on budget documents submitted to the office of the budget and program planning, and all fund transfers of over $1 million in any 30-day period must be communicated to the legislative finance committee in a written

	Fiscal 1992					Fiscal 1993				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
report.												
The department is directed to conduct a cost responsibility study to determine the appropriate ratio of highway user fees based on road wear caused by each type of user. The department shall provide a report of study results and a recommended fee structure to the legislative finance committee by June 1, 1992.												
DEPARTMENT OF REVENUE (5801)												
1. Director's Office (01)												
	867,320	28,701	173,578	413,970		1,483,569	874,594	24,644	173,585	416,841		1,489,664
a. Audit (Line Item)												
	32,474	1,563		89,079		123,116						
2. Centralized Services Division (02)												
	806,501	8,915				815,416	803,210	8,897				812,107
3. Data Processing Division (03)												
	1,006,375	45,273		467,181		1,518,829	1,001,907	45,174		467,919		1,515,000
a. Workers' Compensation Payroll Tax (Line Item)												
		41,549				41,549		35,589				35,589
4. Liquor Division (05)												
a. Liquor Licensing Bureau (Line Item)												
				257,656		257,656				257,566		257,566
5. Income Tax (06)												
	3,441,489	292,468				3,733,957	3,392,245	300,093				3,692,338
a. Workers' Compensation Payroll Tax (Line Item)												
		94,793				94,793		77,869				77,869
b. Accounts Receivable (Line Item)												
	94,484					94,484	80,688					80,688
c. Equipment Replacement (Line Item)												
	66,389					66,389	27,614					27,614
d. Computer Processing Costs (Line Item)												
	98,384					98,384	72,417					72,417
6. Corporation Tax (07)												
	1,155,700	65,073	133,000			1,353,773	1,157,610	65,073	133,000			1,355,683
7. Property Tax Division (08)												

	Fiscal 1992					Fiscal 1993				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
a. Elected and Deputy Assessors (Line Item)	1,749,022					1,749,022	1,751,283					1,751,283
b. Appraisers and Other Assessors (Line Item)	6,800,563					6,800,563	6,799,403					6,799,403
c. Property Assessment Program (Line Item)	3,030,513					3,030,513	3,030,392					3,030,392
d. Cyclical Reappraisal Costs (Line Item)	22,000					22,000	249,000					249,000
e. Computer-Assisted Mass Appraisal System (CAMAS) Costs (Line Item)	358,281					358,281	301,281					301,281
8. Motor Fuel Tax (10)		668,159				668,159		665,206				665,206
9. Personal Services Reduction (Line Item)							607,331	36,504	9,004	37,490		690,329
Total	19,529,495	1,246,494	306,578	1,227,886		22,310,453	18,934,313	1,186,041	297,581	1,104,836		21,522,771

Liquor division proprietary funds necessary to maintain adequate inventories of liquor and wine and to operate the state liquor operation are appropriated. During the 1993 biennium, the division shall attempt to return at least 10% of net sales. Net sales are gross sales less discounts and all taxes collected. The division shall limit operational expenses of the liquor merchandising system to not more than 15% of the net sales. Operational expenses may not include product costs, freight charges, expenses allocable to other divisions, or licensing bureau expenses.

Funds appropriated in item 7e may be used only for consulting contracts to support CAMAS or to support appraisers' use of CAMAS, for debt service costs to fund equipment acquisition, and for computer maintenance contracts.

DEPARTMENT OF ADMINISTRATION (6101)

1. Director's Office (01)	240,983		63,859		304,842	237,884			63,102	300,986
2. Governor-Elect Program (02)						4,945				4,945
3. Accounting Program (03)	1,058,233		30,404		1,088,637	1,042,384			30,366	1,072,750

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
a. Audit (Line Item)												
	38,771					38,771						
4. Architecture and Engineering Program (04)												
	672,098				673,468	1,345,566		682,019			682,019	1,364,038
a. Audit (Line Item)												
	1,370					1,370						
5. Procurement and Printing Division (06)												
	433,930			6,158,782		6,592,712	434,254			6,430,873		6,865,127
a. Audit (Line Item)												
				19,788		19,788						
b. Pass-Through Printing (Line Item)												
				3,412,515		3,412,515				3,543,765		3,543,765
c. Federal Surplus Property (Line Item)												
				87,000		87,000				87,000		87,000
6. Information Services Division (07)												
a. Audit (Line Item)												
				58,140		58,140						
b. Contracted Systems Development (Line Item)												
				200,000		200,000						
c. Computer Services (Line Item)												
				8,109,999		8,109,999				8,320,011		8,320,011
d. Telecommunications (Line Item)												
				8,411,035		8,411,035				7,949,736		7,949,736
e. Emergency 911 (Line Item)												
				78,606		78,606				79,746		79,746
f. Armory Computer Upgrade (Line Item)												
				75,000		75,000				75,000		75,000
g. Public Safety Communication (Line Item)												
				82,000		82,000				57,000		57,000
h. ISD -- Growth in Workload (Line Item)												

	Fiscal 1992					Fiscal 1993				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
				500,000		500,000				500,000		500,000
i. ISD -- Networks (Line Item)												
				800,213		800,213				800,210		800,210
j. Mainframe Disaster Backup (Line Item)												
				179,000		179,000				144,000		144,000
k. Student Long Distance (Line Item)												
				325,075		325,075				325,074		325,074
l. Telephone System Upgrades (Line Item)												
				229,000		229,000				229,000		229,000
7. General Services Program (08)												
	385,338			3,331,572	58,801	3,775,711	396,095			3,421,203	58,801	3,876,099
a. Audit (Line Item)												
				7,672		7,672						
8. Mail and Distribution Bureau (13)												
				1,648,616		1,648,616				1,651,324		1,651,324
a. Audit (Line Item)												
				3,526		3,526						
b. Postage Machines (Line Item)												
				6,500		6,500				6,500		6,500
c. Expanded Mail Services (Line Item)												
				174,087		174,087				174,087		174,087
9. State Personnel Division (23)												
	954,782			512,253		1,467,035	950,158			515,203		1,465,361
a. Audit (Line Item)												
				1,176		1,176						
b. Group Insurance Benefits System (Line Item)												
				36,500		36,500				21,500		21,500
10. Tort Claims Division (24)												
				2,018,619		2,018,619				2,070,836		2,070,836
a. Audit (Line Item)												

	Fiscal 1992					Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
				7,036		7,036						
b. Tort Claims -- Contracts (Line Item)				1,000,000		1,000,000				1,000,000		1,000,000
11. State Tax Appeal Board (37)	441,522					441,522	441,049					441,049
12. Personal Services Reduction (Line Item)							98,114	9,468		270,099	9,842	387,523
Total	3,553,559	673,468		37,567,973	732,269	42,527,269	3,408,655	672,551		37,225,437	730,978	42,037,621

Item 6b is a biennial appropriation.

The department shall develop and submit a cost recovery plan for each of its proprietary operations to the office of budget and program planning and the legislative fiscal analyst by August 1, 1992.

Funds remaining in the capitol land grant account of the capital projects fund, after the appropriations are met for the general services division of the department of administration and any projects provided for in House Bill No. 5, are appropriated to the long-range building debt service fund for the payment of principal and interest on bond issues for public buildings at the capitol for executive, legislative, and judicial purposes, as outlined in section 12 of The Enabling Act. This appropriation is for the biennium ending June 30, 1993, and is not to exceed the annual debt service required on these bonds.

The appropriation in item 7 in the other column includes $58,801 in fiscal 1992 and $58,801 in fiscal 1993 from the capitol projects fund.

In item 7, the department may charge a maximum of $3.28 a square foot in fiscal 1992 and $3.34 a square foot in fiscal 1993 for office space in state-owned buildings.

The department may charge a maximum overhead rate of 6% each year in item 8.

The department is appropriated funds to pay the deductible portion of each claim incurred and covered by a deductible insurance plan from the deductible reserve fund authorized in 2-9-202(2).

By July 15, 1992, the tort claims division shall present to the legislative finance committee proposed changes in the method or methods of determining and allocating insurance premiums to state agencies. The division shall review with the legislative finance committee the proposal and potential fiscal impacts before the rate methodology is adopted and before premiums are included in agency budget requests by the office of budget and program planning.

STATE COMPENSATION MUTUAL INSURANCE FUND (6103)

1. State Compensation Mutual Insurance Fund (01)		25,905		122,038,356		122,064,261				129,059,288		129,059,288
a. Audit (Line Item)				83,655		83,655						

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
b. Claims Management Program (Line Item)				947,108		947,108				944,961		944,961
c. Audit Bureau (Line Item)				314,524		314,524				313,896		313,896
Total	25,905		123,383,643			123,409,548				130,318,145		130,318,145
PUBLIC EMPLOYEES' RETIREMENT BOARD (6104)												
1. Public Employees' Retirement Program (35)					837,589	837,589					816,990	816,990
a. Audit (Line Item)					36,303	36,303						
b. Public Employees' Retirement Division -- Rewrite Data Processing System (Line Item)					350,582	350,582					79,224	79,224
c. Program Improvements (Line Item)					50,387	50,387					56,952	56,952
Total					1,274,861	1,274,861					953,166	953,166
The amounts listed in items 1, 1a, 1b, and 1c are appropriated from the pension trust fund.												
TEACHERS' RETIREMENT BOARD (6105)												
1. Teachers' Retirement Program (01)					469,647	469,647					461,222	461,222
a. Audit (Line Item)					23,676	23,676						
b. Data Processing and Service Upgrades (Line Item)					147,380	147,380					108,380	108,380
Total					640,703	640,703					569,602	569,602

	Fiscal 1992					Fiscal 1993				
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
The amounts listed in items 1, 1a, and 1b are appropriated from the pension trust fund.											
DEPARTMENT OF MILITARY AFFAIRS (6701)											
1. Administration Program (01)											
224,273					224,273	224,411					224,411
a. Audit (Line Item)											
5,920					5,920						
2. Army National Guard Program (12)											
907,828		1,116,567			2,024,395	915,406		1,124,957			2,040,363
a. Repair and Maintenance (Line Item)											
186,000					186,000						
b. Environmental Program (Line Item)											
9,496		42,081			51,577	9,449		41,812			51,261
3. Air National Guard Program (13)											
184,950		1,437,450			1,622,400	186,864		1,446,697			1,633,561
a. Repair and Maintenance (Line Item)											
14,000		42,000			56,000						
4. Disaster Coordination Response (21)											
225,740		243,184			468,924	225,276		242,725			468,001
a. Audit (Line Item)											
4,262		4,262			8,524						
5. Emergency Management Development (24)											
		272,886			272,886			272,545			272,545
a. Audit (Line Item)											
		3,314			3,314						
6. Local Reimbursement -- DES (29)											
		564,000			564,000			540,000			540,000
7. Veterans' Affairs Program (31)											
484,515	10,000	36,762			531,277	484,206	10,000	36,671			530,877
a. Audit (Line Item)											
5,918					5,918						

	Fiscal 1992						Fiscal 1993				
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
Total											
2,252,902	10,000	3,762,506			6,025,408	2,045,612	10,000	3,705,407			5,761,019
Items 2a and 3a are biennial appropriations.											
In item 3, up to two firefighter FTE may be added if the current contract is modified or becomes unnecessary.											
TOTAL SECTION A											
53,040,714	174,256,519	155,549,688	177,415,059	2,647,833	562,909,813	51,136,477	178,016,034	156,472,312	183,570,895	2,253,746	571,449,464
				B. HUMAN SERVICES							
DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES (5301)											
1. Director's Office (01)											
144,595		45,051	404,275		593,921	144,369		45,036	404,157		593,562
a. Personnel Officer (Line Item)											
			26,559		26,559				26,500		26,500
b. Legal Services Charge System (Line Item)											
82,897					82,897	82,897					82,897
2. Central Services (02)											
609,494	859,014	218,792	806,781		2,494,081	610,219	820,136	217,764	808,324		2,456,443
a. Audit (Line Item)											
			53,666		53,666						
b. Laboratory Contingency (Line Item)											
	100,000				100,000						
c. Support Staff (Line Item)											
			48,800		48,800				48,692		48,692
d. Newborn Pku Screening (Line Item)											
	78,418				78,418		31,170				31,170
e. Safe Drinking Water -- Laboratory Certification (Line Item)											
	42,428				42,428		42,352				42,352
f. Safe Drinking Water -- Public Health Laboratory (Line Item)											

	Fiscal 1992					Fiscal 1993				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
		41,713				41,713		41,704				41,704
3. Environmental Sciences (03)												
	934,038	1,348,448	758,471	154,204		3,195,161	934,026	1,348,446	757,861	154,002		3,194,335
a. Air Quality (Line Item)												
		93,977	253,733			347,710		93,269	253,376			346,645
b. Asbestos Control (Line Item)												
		95,326				95,326		95,241				95,241
c. Natural Resources Lawsuit (Line Item)												
		4,949,739				4,949,739						
d. Air Quality -- Permits (Line Item)												
		320,000				320,000		320,000				320,000
4. Solid and Hazardous Waste (04)												
	193,093	2,307,169	7,567,191			10,067,453	193,149	2,331,063	7,565,875			10,090,087
a. Hazardous Waste (Line Item)												
		50,835	152,505			203,340		50,578	151,735			202,313
b. Landfill Management (Line Item)												
		144,622				144,622		144,304				144,304
c. BN/ARCO Special Projects (Line Item)												
		323,922				323,922		323,336				323,336
5. Water Quality (05)												
	177,298	543,355	2,149,694			2,870,347	177,143	543,900	2,149,982			2,871,025
a. Agriculture Monitoring (Line Item)												
		15,000				15,000		15,000				15,000
b. Ground Water Pollution (Line Item)												
			116,137			116,137			116,161			116,161
c. Wastewater Operators (Line Item)												
		11,179				11,179		9,389				9,389
d. Subdivisions (Line Item)												
	46,609					46,609	42,987					42,987
e. Safe Drinking Water (Line Item)												

	Fiscal 1992						Fiscal 1993				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
		650,486	307,393			957,879		654,972	306,117			961,089
f. Nonpoint Source Pollution (Line Item)												
			1,426,753			1,426,753			1,426,776			1,426,776
g. Ground Water -- EQC (Line Item)												
		107,151				107,151		106,992				106,992
h. Ground Water -- EQC Lawyer (Line Item)												
			48,594			48,594			48,513			48,513
6. Health Services and Medical Facilities (06)												
	497,967	47,102	236,365			781,434	497,919	47,124	237,850			782,893
7. Family/Maternal and Child Health Bureau (07)												
	103,944		15,120,424			15,224,368	103,873		14,911,445			15,015,318
a. Child Nutrition (Line Item)												
			1,634,000			1,634,000			2,642,000			2,642,000
b. WIC (Line Item)												
			1,122,486			1,122,486			1,122,486			1,122,486
c. MIAMI Program (Line Item)												
	171,468					171,468	169,608					169,608
8. Preventive Health Bureau (08)												
	221,401	60,020	1,146,792			1,428,213	221,414	65,874	1,148,627			1,435,915
a. Chronic Disease Prevention (Line Item)												
			40,578			40,578			40,571			40,571
b. AIDS Education (Line Item)												
			20,000			20,000			20,000			20,000
c. Sexually Transmitted Diseases (Line Item)												
			81,807			81,807			81,757			81,757
d. AIDS (Line Item)												
			33,583			33,583			32,751			32,751
9. Licensing and Certification (09)												
	473,925		947,416			1,421,341	497,380		923,370			1,420,750
a. OBRA (Line Item)												

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
	49,593		826,044			875,637	67,846		756,639			824,485
b. Hearings -- OBRA (Line Item)												
	10,275		126,727			137,002	13,700		123,302			137,002
10. Petroleum Release Compensation Board (11) (Line Item)												
		518,146				518,146		517,834				517,834
11. Personal Services Reduction (Line Item)												
							78,827	111,963	226,154	42,758		459,702
Total												
	3,716,597	12,708,050	34,380,536	1,494,285		52,299,468	3,677,703	7,490,721	34,853,840	1,398,917		47,421,181

Item 3c is a biennial appropriation.

The total appropriation for the department includes $2,204,426 in fiscal 1992 and $2,204,426 in fiscal 1993 from the maternal and child health block grant. To the extent revenue from the grant exceeds these amounts, it must be distributed to the counties, based upon identifiable needs. To the extent revenue from the grant is less than these amounts, allocations must be reduced proportionately among state programs and grants to counties.

The total appropriation for the department includes $644,771 in fiscal 1992 and $644,771 in fiscal 1993 from the preventive health block grant. To the extent revenue from the grant exceeds these amounts, it must be distributed at the discretion of the director of the department, based upon identifiable health care needs. To the extent revenue from the grant is less than these amounts, the director of the department shall make program reductions.

Funds appropriated to the department for indirect cost recovery may be expended only for that purpose.

The director's office includes $82,897 of general fund money each year within the legal unit that may be used only to pay legal services billed to programs funded by the general fund within the department. None of this appropriation may be transferred to other programs.

Item 2 includes a total of $25,000 each year of state special revenue authority that must be used to perform tests as needed on behalf of the food and consumer safety bureau within the department.

Item 2b is a biennial appropriation that may be used only if the demand for reimbursable services requires expenditures for supplies, materials, and communications in excess of the appropriated levels of $184,820 in fiscal 1992 and $184,597 in fiscal 1993.

The department is authorized to receive an interentity loan from the general fund for no more than $4,986,059 for the purpose of conducting the natural resources damage assessment and litigation against the atlantic richfield company (ARCO). Repayment of this loan is extended through the end of the 1993 biennium in accordance with 17-2-107. The repayment must include interest on the amount loaned at a rate commensurate with rates earned in the short-term investment pool.

The natural resource damage program policy committee is formed to ensure cooperation and unity among the state's natural resource agencies in carrying out their responsibilities as representatives of the governor, who is the trustee of the state's natural resources. The policy committee serves to guide and make natural resource damage program policy decisions. The appropriation of $4,949,739 to continue the natural resources lawsuit against ARCO must be overseen by the policy committee, which

	Fiscal 1992						Fiscal 1993				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
consists of the following individuals or their designated representatives: the governor's energy and environmental policy advisor; the directors of the departments of health and environmental sciences and fish, wildlife, and parks; the commissioner of the department of state lands; and the attorney general of the state.												
None of the appropriation for the licensing, certification, and construction bureau may be transferred to any other program in the department.												
DEPARTMENT OF LABOR AND INDUSTRY (6602)												
1. Job Service Division (01)												
	90,884	11,727,125				11,818,009	90,884	11,677,202				11,768,086
a. Federal Economic Dislocated Worker Adjustment and Assistance/Trade Adjustment Assistance Program (Line Item)												
		253,869				253,869		253,520				253,520
b. Jobs for Montana Graduates (Line Item)												
		126,517				126,517		124,485				124,485
2. Unemployment Insurance (02)												
		3,838,530				3,838,530		3,798,381				3,798,381
a. Unemployment Insurance Accounts Receivable (Line Item)												
		129,204				129,204		105,093				105,093
3. Commissioner/Centralized Services (03)												
			2,787,914			2,787,914				2,740,760		2,740,760
a. Audit (Line Item)												
			66,293			66,293						
4. Employment Relations (04)												
	433,979	1,462,292	694,500	397,560		2,988,331	404,783	1,422,317	699,256	397,560		2,923,916
5. Legal Services Division (06)												
	250,324		471,810	136,846		858,980		251,467	474,501	136,674		862,642
6. Research, Safety, and Training (07)												
	745,637		2,080,492			2,826,129		746,486	2,047,691			2,794,177
7. Human Rights Commission (08)												
	287,942		102,861			390,803	292,562		102,860			395,422
a. Human Rights Backlog (Line Item)												
	44,816					44,816	37,869					37,869
8. Workers' Compensation Judge (09)												
	356,165					356,165		355,643				355,643

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
9. Job Training Grants (50)			13,940,510			13,940,510			14,158,765			14,158,765
a. Project Work Program Contracts (Line Item)			286,145			286,145			286,145			286,145
b. Federal Economic Dislocated Worker Adjustment and Assistance/Trade Adjustment Assistance Grants (Line Item)			596,435			596,435			664,793			664,793
c. Job Training Partnership Act Funding (Line Item)			1,267,759			1,267,759			1,732,241			1,732,241
Total	766,737	2,905,302	35,515,757	3,388,613		42,576,409	735,214	2,866,797	36,124,933	3,274,994		43,001,938

All unappropriated revenue to and fund balance in the unemployment insurance administrative tax account is appropriated to a reserve fund for job service administrative costs. The amount of unappropriated funds for deposit into the reserve must be determined after all other unemployment insurance administrative tax appropriations are funded. The job service reserve fund must be maintained within the unemployment insurance administrative tax account. Interest earned on the job service reserve must be deposited into the job service reserve fund. Sufficient funds from the job service reserve are appropriated to the department to fund the job service federal fund appropriation in fiscal 1992 and fiscal 1993, contingent upon receipt of federal funds for the support of job service functions that are less than the level received in fiscal 1991. Funds in the job service reserve may not be transferred to the unemployment insurance trust fund until January 30, 1993, except in the case that an amount is necessary to reduce the employer contribution schedule for the coming year. Any transfer prior to January 30, 1993, must be reviewed by the legislative finance committee.

The department, in concert with other interested parties, shall prepare formal guidelines for use of the unemployment insurance administrative tax funds and present these guidelines to the 53rd legislature. At a minimum, the guidelines must include a prioritization of programs and activities to be funded. The criteria for prioritization must include the following considerations:

(1) loss of federal funding, impact on rural communities, and employer/employee-related functions; and

(2) the establishment and maintenance of a reserve fund to ensure that employment security services continue in the event of federal fund reductions.

The amount of unemployment insurance administrative tax funding for the jobs for Montana's graduates program may not be increased.

The department shall provide information to the 53rd legislature regarding the actual amount collected by the 3 FTE added to collect unemployment insurance accounts receivable.

The department is appropriated up to $1 million each year from funds referred to in 39-71-502 and 39-71-901 to pay uninsured employer and subsequent injury benefits as required by 39-71-503 and 39-71-907.

Funds appropriated in item 9c to replace federal fund reductions in Job Training Partnership Act (JTPA) programs statewide are one-time only funds and may be used only if and to the extent federal JTPA funds allocated to the state are less than the amount allocated in state fiscal year 1991. Unspent funds revert to the job service reserve fund

Fiscal 1992						Fiscal 1993					
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
in the unemployment insurance administrative tax account.											
DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES (6901)											
1. Family Assistance (01)											
14,675,852	724,364	44,779,272			60,179,488	14,554,213	721,346	44,739,655			60,015,214
a. Food Stamp Employment and Training (Line Item)											
		96,000			96,000			96,000			96,000
b. Day-Care Rate Increase (Line Item)											
33,404		84,673			118,077	57,550		147,256			204,806
c. Food Stamp Job Search Support (Line Item)											
43,750					43,750	43,750					43,750
d. Statewide Jobs Program (Line Item)											
853,367		1,787,001			2,640,368	853,367		1,787,001			2,640,368
2. Eligibility Determination Program (03)											
2,565,462	2,535,740	4,708,802			9,810,004	2,562,718	2,533,103	4,703,834			9,799,655
3. Administrative and Support Services (04)											
631,845	314,416	1,552,872			2,499,133	631,882	315,807	1,557,746			2,505,435
a. Audit (Line Item)											
68,690	6,284	74,974			149,948						
4. Child Support Enforcement (05)											
	1,263,000	2,517,664			3,780,664		1,252,046	2,515,841			3,767,887
a. Contracted Employees (Line Item)											
	126,991	246,512			373,503		129,124	250,652			379,776
5. State-Assumed County Administration (06)											
606,151		500,578			1,106,729	606,639		500,752			1,107,391
6. Medical Assistance (07)											
53,719,686	7,590,929	167,740,803			229,051,418	55,334,255	7,975,494	173,343,078			236,652,827
a. OBRA-90 (Line Item)											
689,308		1,612,772			2,302,080	1,728,271		3,811,611			5,539,882
b. Hospital Rate Study/Cost Containment (Line Item)											
292,080		142,080			434,160	191,300		41,300			232,600

	Fiscal 1992						Fiscal 1993				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
c. Licensed Professional Counselors (Line Item)												
	42,435		109,891			152,326	47,370		121,206			168,576
d. Baby Your Baby (Line Item)												
		134,000	134,000			268,000						
e. Nurses' Aide Testing (Line Item)												
	86,400		86,400			172,800	86,400		86,400			172,800
f. Nursing Home Rate Rebase (Line Item)												
	1,458,054		3,695,903			5,153,957	3,018,559		7,723,645			10,742,204
g. Elderly Waiver Expansion (Line Item)												
	74,888		189,827			264,715	100,134		256,216			356,350
h. Children's Dental Expansion (Line Item)												
	61,527		155,961			217,488	61,114		156,372			217,486
i. Residential Psychiatric (Line Item)												
			4,490,088			4,490,088			4,516,295			4,516,295
j. Increase Ob/Gyn/Ped Physicians' Rates (Line Item)												
	1,370,014		3,472,737			4,842,751	1,360,813		3,481,937			4,842,750
k. Health Clinics Expansion (Line Item)												
	18,388		46,612			65,000	18,265		46,735			65,000
l. Hospital Rate Rebase (Line Item)												
							1,227,484		3,140,787			4,368,271
m. EPSDT Case Management/Screening (Line Item)												
	81,980		207,803			289,783	98,366		251,691			350,057
n. Ambulance Provider Increase (Line Item)												
	139,729		354,189			493,918	138,791		355,127			493,918
o. Pregnant Women Targeted Case Management (Line Item)												
	139,484		353,566			493,050	138,574		354,572			493,146
7. Audit and Program Compliance Division (08)												
	599,506	7,714	831,458			1,438,678	599,348	7,698	831,144			1,438,190
8. Office of Management, Analysis, and Systems (09)												
	1,876,396	538,606	3,107,003			5,522,005	2,090,774	582,399	3,497,524			6,170,697

	Fiscal 1992						Fiscal 1993				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
a. TDD Project Implementation (Line Item)		67,783				67,783		71,600				71,600
b. TEAMS Operations (Line Item)	438,795					438,795	485,182					485,182
9. Vocational Rehabilitation Program (10)	975,599	700,421	6,479,713			8,155,733	974,544	700,344	6,340,627			8,015,515
a. JTPA Administration (Line Item)			15,000			15,000			15,000			15,000
b. Provider Rate Increase (Line Item)	57,727		222,173			279,900	118,339		455,455			573,794
c. JTPA Additional Training (Line Item)			25,000			25,000			25,000			25,000
d. Program Expansion (Line Item)	155,455					155,455	155,455					155,455
10. Disability Determination Program (11)			2,698,382			2,698,382			2,697,378			2,697,378
11. Visual Services Program (13)	285,946		984,666			1,270,612	285,738		983,834			1,269,572
a. Provider Rate Increase (Line Item)	8,003		24,057			32,060	16,406		49,317			65,723
12. Developmental Disabilities Program (14)	9,225,383		17,983,125			27,208,508	9,289,600		17,934,110			27,223,710
a. Provider Rate Increase (Line Item)	1,034,698		365,434			1,400,132	2,170,755		766,667			2,937,422
b. Program Expansion (Line Item)	363,558		934,862			1,298,420	363,558		934,862			1,298,420
c. DD System Phase IV Implementation (Line Item)	727,727		569,983			1,297,710	1,216,301		1,521,443			2,737,744
d. DD System Phase I and II Implementation (Line Item)	392,681		764,290			1,156,971	390,038		763,478			1,153,516

	Fiscal 1992					Fiscal 1993				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
e. DD Part H Expansion (Line Item)	897,059		244,627			1,141,686	897,059		244,627			1,141,686
f. Increased Title XIX Funding (Line Item)			500,000			500,000			500,000			500,000
g. Montana Youth Initiative (Line Item)			86,000			86,000			86,000			86,000
h. Chapter I OPI DD Treatment (Line Item)			90,000			90,000			90,000			90,000
i. OBRA-87 (Line Item)							296,516		762,470			1,058,986
13. Developmental Disabilities Advisory Council (15)			307,523			307,523			307,496			307,496
a. DDPAC Grant Increased Administration (Line Item)			9,977			9,977			10,004			10,004
b. DDPAC Grant Increased Benefits (Line Item)			32,500			32,500			32,500			32,500
14. Personal Services Reduction (Line Item)							211,779	160,555	570,785	1		943,118
Total	94,691,027	14,010,248	275,416,753			384,118,028	101,997,649	14,128,406	292,263,860	1		408,389,916

The department is authorized to retain 7.5% of the federal community services block grant and pass through the remaining 92.5% to the human resource development councils (HRDC). If, during fiscal 1992 or fiscal 1993, the block grant falls below the federal fiscal year 1990 grant level, the department shall retain only 5% and pass through the remaining 95% to the HRDCs.

Item 1b is funding for rate increases to day-care providers. Beginning October 1, 1991, the department shall increase day-care provider rates up to 75% of the "local market rate" (the maximum allowed under federal regulations). If federal regulations permit the use of funds from the new "child care and development block grant" for these increases, the department shall decrease the general fund appropriations by the amount of block grant funds available.

The state share of the AFDC-related support collections and all AFDC and non-AFDC federal incentive payments must be deposited in a state special revenue account from which the state's share of the administrative and operational costs of the child support enforcement program must be paid. The legislature intends that, during the 1993 biennium, the department collect $1.25 for each $1 expended for administrative and operational costs from the account. Expenditures made from the account for state

	Fiscal 1992					Fiscal 1993				
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total

medicaid match are not considered administrative or operational expenditures for purposes of this requirement. Any cash fund balance in excess of $500,000 in the state special revenue account at the end of each fiscal year must be deposited in the state general fund.

The department is authorized to transfer funds among appropriations for medicaid primary care, medicaid nursing care, medicare buy-in, state medical, and the home and community-based waiver program. Except as provided below, funds transferred to the medicaid waiver program may not be used to increase the number of recipients receiving waiver services but must be used solely for covering cost increases above the appropriated level.

The department may utilize funds appropriated for medicaid nursing care to increase the number of recipients in the home and community-based waiver program during the 1993 biennium under the following conditions:

(1) During the 1993 biennium, no more than 25 nursing residents who are appropriate for waiver services may be transferred from nursing facilities to the waiver program.

(2) Per diem waiver costs for residents moved from nursing facilities may not exceed the statewide average medicaid per diem cost of intermediate nursing care.

(3) The department shall keep records of each resident transferred under this provision and submit to the 53rd legislature a report on the number of residents transferred and any cost savings achieved as a result of the transfers.

The legislature intends that expenditures for all executive budget modifications for provider rate increases approved by the legislature be limited to dollar amounts appropriated rather than percentage increases on which the original estimates may have been based. The department will be in compliance with this provision if:

(1) it estimates total costs for each medicaid service category in June, prior to the beginning of each fiscal year of the 1993 biennium; and

(2) the percentage increases or base adjustments approved by the department are limited to the dollar amount appropriated for each budget modification.

The department may not expand or reduce the amount, scope, or duration of benefits provided to recipients under the medicaid primary care or nursing care programs during the 1993 biennium unless Title XIX of the federal Social Security Act is amended to require expansion or reduction of benefits as a condition of the state receiving federal financial participation.

Upon final determination of all general fund money in the department's unreconciled special revenue fund balance (in the approximate total amount of $2,530,153) and the deposit of these funds in the general fund, $438,795 in fiscal 1992 and $485,182 in fiscal 1993 are appropriated to fund the additional general fund costs of the TEAMS project in item 8b. Any funds remaining in the special revenue fund to which the state is entitled must be deposited in the general fund.

Item 9b is funding for a 5% rate increase each year of the 1993 biennium to providers of vocational rehabilitation services.

Item 11a is funding for a 5% rate increase each year of the 1993 biennium to providers of visual services.

The department is authorized to transfer funds between appropriations for the vocational rehabilitation and visual services programs.

Item 12a is funding for a 5% rate increase each year of the 1993 biennium to providers of developmental disabilities services.

DEPARTMENT OF FAMILY SERVICES (6911)

1. Management Support (01)								
1,693,773	15,000	542,337		2,251,110	1,693,631	15,000	533,438	2,242,069
a. Audit (Line Item)								
62,036		38,982		101,018				

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
b. Management Information System (Line Item)	80,037		8,893			88,930						
c. Management Increases (Line Item)	111,733		82,983			194,716	104,722		76,611			181,333
d. Division Directors (Line Item)	81,588		14,398			95,986	77,000		13,588			90,588
2. Community Services (02)	19,833,018	2,560,814	12,154,962			34,548,794	20,351,234	2,563,341	12,306,728			35,221,303
a. Child Care and Development Block Grant (Line Item)			2,373,287			2,373,287			2,641,716			2,641,716
b. Staff Increases (Line Item)	237,082		41,838			278,920	465,123		82,081			547,204
c. Montana Developmental Center Phases I and II SSI (Line Item)	27,072					27,072	27,072					27,072
d. Montana Developmental Center Phase IV Child Placement (Line Item)	42,435		107,565			150,000	84,300		215,700			300,000
e. Montana Developmental Center Phase IV Case Management (Line Item)	30,182		52,446			82,628	30,182		52,432			82,614
f. Montana Developmental Center Phase IV SSI (Line Item)	19,740					19,740	53,580					53,580
g. Youth Treatment Services (Line Item)	1,771,365					1,771,365	1,765,061					1,765,061
h. Field Equipment (Line Item)	20,000					20,000	20,000					20,000
i. Native American Services (Line Item)	280,863		711,937			992,800	278,977		713,823			992,800
3. Mountain View (03)	1,998,328	3,180	105,532			2,107,040	2,015,376	3,180	105,588			2,124,144
a. Staff Increases (Line Item)	35,579					35,579	34,351					34,351

	Fiscal 1992						Fiscal 1993				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
4. Pine Hills School (04)	3,257,080	320,122	308,541			3,885,743	3,271,967	326,378	308,381			3,906,726
a. Industries Program (Line Item)		6,000				6,000		6,000				6,000
b. Staff Increases (Line Item)	62,985					62,985	62,934					62,934
Total	29,644,896	2,905,116	16,543,701			49,093,713	30,335,510	2,913,899	17,050,086			50,299,495

Item 1b is a biennial appropriation.

The department shall submit to the 53rd legislature a report detailing the numbers of developmentally disabled (DD) clients served by the department in fiscal 1992 and the actual fiscal 1992 general fund and federal fund expenditures for that service.

The department may provide DD targeted case management through increases in staff, or it may contract for the targeted case management services.

Included in item 2 is a general fund appropriation of $38,708 in fiscal 1992 and $58,083 in fiscal 1993 for increases to day-care providers. Beginning October 1, 1991, the department shall increase day-care provider rates up to 75% of the "local market rate" (the maximum allowed under federal regulations). If federal regulations permit the use of funds from the new "child care and development block grant" for these increases, the department shall decrease the general fund appropriations by the amount of block grant funds available.

In item 2a, the department is appropriated federal funds of $2,373,287 in fiscal 1992 and $2,641,716 in fiscal 1993 for improving the availability and quality of day care. The department shall issue a report to the 53rd legislature detailing the numbers and types of services provided and the actual fiscal 1992 expenditures for those services.

In item 2g, at least $1.3 million for the biennium must be reserved for residential treatment services.

The continuum of service plan is to be presented to the legislative finance committee during calendar 1991 for its review and comment. After review by the committee and consideration of recommendations and upon implementation of the plan, all funds are to be spent in accordance with the plan. The goal of the plan is to develop a comprehensive child welfare service system by July 1, 1993. The system must include but not be limited to family-based services, foster care, therapeutic foster care, group care, residential treatment, and psychiatric hospitalization for youth. Funds appropriated for the youth foster care program may not be transferred to the medicaid program administered by the department.

TOTAL SECTION B	128,819,257	32,528,716	361,856,747	4,882,898	528,087,618	136,746,076	27,399,823	380,292,719	4,673,912	549,112,530

C. NATURAL RESOURCES

	Fiscal 1992					Fiscal 1993				
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
PUBLIC SERVICE REGULATION (4201)											
1. Public Service Regulation Program (01)											
1,842,522		25,918	20,000		1,888,440	1,857,190		25,918	20,000		1,903,108
a. Audit (Line Item)											
15,784					15,784						
b. Consultants (Line Item)											
50,000					50,000						
c. Travel and Registration (Line Item)											
25,000					25,000						
d. Exempt Positions Salaries (Line Item)											
15,000					15,000	15,000					15,000
Total											
1,948,306		25,918	20,000		1,994,224	1,872,190		25,918	20,000		1,918,108
Items 1b and 1c are biennial appropriations.											
DEPARTMENT OF FISH, WILDLIFE, AND PARKS (5201)											
1. Management Services Division (01)											
1,204,241		481,500	1,852,931		3,538,672		1,249,513	480,037	1,846,849		3,576,399
a. Audit (Line Item)											
51,580					51,580						
b. Legislative Contract Authority (Line Item)											
		65,000			65,000			65,000			65,000
c. Fiscal Management Position (Line Item)											
35,105					35,105		33,726				33,726
d. Vehicle Account (Line Item)											
			163,000		163,000				169,000		169,000
2. Field Services Division (02)											
2,177,894		453,626	108,693		2,740,213		2,196,729	459,641	103,674		2,760,044
a. Block Management (Line Item)											
173,172					173,172		173,056				173,056

	Fiscal 1992					Fiscal 1993				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
b. Fishing and Motorboat Access (Line Item)		10,175	30,525			40,700		10,157	30,473			40,630
c. Microcomputer Support (Line Item)		31,886				31,886		31,818				31,818
d. Block Management -- Executive Planning Process (Line Item)		137,000				137,000		137,000				137,000
e. Game Damage (Line Item)		50,000				50,000		75,000				75,000
f. Sporting Information (Line Item)		17,000				17,000		17,000				17,000
g. License Agent Commissions (Line Item)		10,300				10,300		97,300				97,300
h. Development and Maintenance of Department Property (Line Item)		60,000				60,000		60,000				60,000
i. Computerize Land Records (Line Item)		35,000				35,000		35,000				35,000
j. Cherry Creek Reservoir (Line Item)		100,000	50,000			150,000						
3. Fisheries Division (03)		2,570,236	2,220,087		18,600	4,808,923		2,430,402	2,188,438			4,618,840
a. Water Leasing Study (Line Item)			60,000			60,000						
b. Legislative Contract Authority (Line Item)			1,245,000			1,245,000			1,505,000			1,505,000
c. Missouri Basin Reservations (Line Item)		41,706	125,120			166,826						
d. Streambank Projects (Line Item)		10,000	31,000			41,000		10,000	31,000			41,000
e. USFS Fisheries Data Project (Line Item)		14,237	42,712			56,949		14,512	43,538			58,050

	Fiscal 1992					Fiscal 1993				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
f. Evaluate Fish Population (Line Item)	27,549	82,647				110,196		27,540	82,618			110,158
g. Fishing and Motorboat Access (Line Item)	8,218	24,653				32,871		8,301	24,899			33,200
h. Flathead Lake Fishery (Line Item)	5,889	17,666				23,555		6,075	18,223			24,298
i. Clark Fork River Investigation (Line Item)	12,511	37,531				50,042		12,510	37,530			50,040
j. Fish Hatchery Operations (Line Item)	13,750	41,250				55,000		13,750	41,250			55,000
k. Handicapped Anglers Fishing Regulations (Line Item)	6,000					6,000						
4. Law Enforcement Division (04)	4,067,988	190,882				4,258,870		4,100,671	190,713			4,291,384
a. Legislative Contract Authority (Line Item)		40,000				40,000			40,000			40,000
b. Special Investigations (Line Item)	113,244					113,244		113,208				113,208
c. Enforcement Relocation (Line Item)	27,000					27,000		27,000				27,000
5. Wildlife Division (05)	2,562,058	2,348,148				4,910,206		2,580,084	2,362,361			4,942,445
a. Upland Game Birds (Line Item)	1,853,386					1,853,386						
b. Legislative Contract Authority (Line Item)		1,404,500				1,404,500			1,331,500			1,331,500
c. Sun River Game Management Area (Line Item)	35,000					35,000						
d. Habitat/Timber Sales Plans (Line Item)	16,250					16,250		16,250				16,250

	Fiscal 1992						Fiscal 1993				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
e. Canyon Ferry Wildlife Management Area (Line Item)		7,712				7,712		7,706				7,706
f. Helicopter Rental (Line Item)		45,300	45,300			90,600		45,300	45,300			90,600
g. Upland Game Bird Increase (Line Item)		125,000				125,000						
6. Parks Division (06)	55,000	3,461,863	289,215	259,216		4,065,294	55,000	3,489,709	289,122	274,046		4,107,877
a. Land and Water Conservation Fund (Line Item)			700,000			700,000						
b. Legislative Contract Authority (Line Item)			25,000			25,000			25,000			25,000
c. Park Futures Committee (Line Item)	750,000					750,000	750,000					750,000
d. Fishing Access Maintenance (Line Item)		50,000				50,000		50,000				50,000
e. Capitol Grounds Maintenance (Line Item)				27,776		27,776				27,769		27,769
7. Conservation Education Division (08)		1,270,565	149,842			1,420,407		1,274,165	156,244			1,430,409
a. Shooting Ranges (Line Item)		150,049				150,049						
b. Legislative Contract Authority (Line Item)			30,000			30,000			30,000			30,000
c. Watchable Wildlife (Line Item)		30,000				30,000		30,000				30,000
d. Aquatic Education (Line Item)		2,748	8,244			10,992		2,748	8,244			10,992
e. Update Hunter Education (Line Item)		25,000				25,000		25,000				25,000

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
8. Administration (09)												
	1,655,708	560,881				2,216,589		1,645,150	559,380			2,204,530
a. Legislative Contract Authority (Line Item)												
		100,000				100,000			100,000			100,000
b. Legal Services -- Executive Planning Process (Line Item)												
	35,000					35,000		35,000				35,000
c. Tribal Relations (Line Item)												
	40,000					40,000		40,000				40,000
d. Interagency Support (Line Item)												
	25,000					25,000		25,000				25,000
e. Geographic Information System (Line Item)												
	50,000					50,000		40,000				40,000
f. Regional Offices Support (Line Item)												
	75,000					75,000		75,000				75,000
g. Sikes Act (Line Item)												
	150,000	20,000				170,000						
h. Predator Control (Line Item)												
	20,000					20,000		20,000				20,000
i. Legal Services (Line Item)												
	12,300					12,300		12,300				12,300
Total												
	805,000	22,709,620	10,920,329	2,411,616	18,600	36,865,165	805,000	20,293,680	10,145,511	2,421,338		33,665,529

Items 2j, 3a, 3c, 5a, 5c, 5g, 6a, 7a, and 8g are biennial appropriations.

If the department receives private funds, it may increase its state special revenue appropriation and decrease its federal revenue appropriation by like amounts.

The appropriation for the legislative contract authority in items 1b, 3b, 4a, 5b, 6b, 7b, and 8a is subject to the following provisions:

(1) Legislative contract authority applies only to federal and private funds.

(2) Legislative contract authority expenditures must be reported on state accounting records. The records must be separate from current level operations.

(3) A report must be submitted by the department to the legislative fiscal analyst following the end of each fiscal year of the biennium. The report must include a listing of projects, with the related amount of expenditures for each project.

	Fiscal 1992					Fiscal 1993				
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total

The department shall conduct a study of the options and methods available for allocating administrative costs to the various state special revenue funds managed by the agency. The department shall present the findings of its study to the legislative finance committee by July 1, 1992, along with its recommendation, affected accounts, and any required statute changes.

Item 2f contains $17,000 a year to develop informational displays for use by license agents, and item 2g contains $10,300 in fiscal 1992 and $97,300 in fiscal 1993 for increases in license agents' commissions. The expenditures of these appropriations are contingent on the enactment of Senate Bill No. 171. Senate Bill No. 171 increases certain fishing and hunting license fees.

Item 2h contains $60,000 a year from the general license account for development and maintenance of wildlife management areas, waterfowl projects, parks, and fishing access sites. This appropriation is reduced by the amount of funds Senate Bill No. 252, if enacted, provides the general license account for the management of wildlife management areas. Senate Bill No. 252 revises allocation of funds for development and maintenance of wildlife habitat.

Item 3 contains $18,600 in fiscal 1992 to contract with the U.S. fish and wildlife service to raise Kokanee salmon fingerlings at the Creston national fish hatchery. If a second raceway shelter at the Creston national fish hatchery is not purchased, this appropriation is reduced by $8,220.

Item 3i contains $50,042 in fiscal 1992 and $50,040 in fiscal 1993, appropriated for aquatic resource data collection on the Upper Clark Fork River in connection with the state's resource damage assessment suit against ARCO. The department shall present to the 53rd legislature the results of this project. In preparing the 1995 biennial budget for legislative consideration, the office of budget and program planning and the legislative fiscal analyst's office may not include the expenditures from this item in the current level base. In the litigation, the state shall seek reimbursement for all expenses incurred by the department associated with the assessment and litigation. Reimbursement shall include interest on the amount commensurate with rates earned in the short-term investment pool.

If Senate Bill No. 449 is enacted, item 4 is increased $15,000 a year in fiscal 1992 and fiscal 1993.

Item 4c contains $27,000 a year for employee relocation expenses. The department shall present the 53rd legislature with a report on historical expenditures for employee relocation. In preparing the 1995 biennial budget for legislative consideration, the office of budget and program planning and the legislative fiscal analyst's office may not include the expenditures from this item in the current level base.

Item 6 contains $246,266 from federal funds and $55,000 from the general fund in fiscal 1992 and $246,173 from federal funds and $55,000 from the general fund in fiscal 1993 for the Montana conservation corps. It is the intent of the legislature that the department provide a liaison position to coordinate this program with the human resource development council.

Item 8 contains $5,500 in fiscal 1992 to print the department's 5-year strategic plan. In preparing the 1995 biennial budget for legislative consideration, the office of budget and program planning and the legislative fiscal analyst's office may not include the expenditures from this item in the current level base.

Item 8e contains $50,000 in fiscal 1992 and $40,000 in fiscal 1993 for a pilot project to evaluate potential uses of a geographic information system within the department. In preparing the 1995 biennial budget for legislative consideration, the office of budget and program planning and the legislative fiscal analyst's office may not include the expenditures from this item in the current level base.

DEPARTMENT OF STATE LANDS (5501)

1. Central Management Program (01)

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
	1,470,841	97,627	115,412	191,331		1,875,211	1,471,625	95,037	115,412	188,990		1,871,064
a. Audit (Line Item)												
	41,038					41,038						
b. Trust Land Access EIS (Line Item)												
	300,000					300,000						
c. Helena Office Support Staff (Line Item)												
	17,074	33,000				50,074	16,969	33,000				49,969
d. Royalty Auditor Travel Expense (Line Item)												
		10,469				10,469		10,469				10,469
e. Revised Lease for Office Space (Line Item)												
	82,992					82,992	82,992					82,992
2. Reclamation Program (03)												
	306,872	627,381	8,591,733			9,525,986	306,515	629,310	8,591,294			9,527,119
a. Opencut Bond Forfeiture (Line Item)												
		100,000				100,000						
b. Hard-Rock Reclamation (Line Item)												
		100,000				100,000						
c. Hard-Rock Bond Forfeiture (Line Item)												
		100,000				100,000						
d. Environmental Analysis (Line Item)												
		3,000,000				3,000,000						
e. Coal Bureau Workload (Line Item)												
		43,098	100,036			143,134		46,831	108,534			155,365
f. Abandoned Mine Rent (Line Item)												
			17,784			17,784			17,784			17,784
g. Hard-Rock Workload (Line Item)												
		127,118				127,118		121,239				121,239
h. Coal and Uranium Rent (Line Item)												
		5,335	12,449			17,784		5,335	12,449			17,784
i. Hard-Rock Increase (Line Item)												

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
		100,000				100,000		100,000				100,000
j. Environmental Compliance (Line Item)												
		121,721				121,721		98,637				98,637
3. Land Administration Program (04)												
	724,065	255,677				979,742	723,184	255,873				979,057
a. Trust Land Management (Line Item)												
	121,722					121,722	131,329					131,329
b. Cabinsite Sales (Line Item)												
		70,000				70,000						
4. Forestry (25)												
	5,877,493	3,035,115	397,730			9,310,338	5,873,349	3,034,383	397,998			9,305,730
a. Federal Fire Reimbursement (Line Item)												
			100,000			100,000			100,000			100,000
b. State/County Cooperative Fire (Line Item)												
	43,351	21,673				65,024	43,372	21,684				65,056
c. Slash Increase (Line Item)												
		32,000				32,000		32,000				32,000
d. Urban Forestry Assistance (Line Item)												
			173,100			173,100			173,100			173,100
e. Forest Resource Management Program (Line Item)												
			363,200			363,200			286,200			286,200
f. Best Management Practices Audit (Line Item)												
	10,000					10,000						
g. Block 5 and Philipsburg Fire (Line Item)												
	68,853	34,426				103,279	70,341	35,170				105,511
h. Best Management Practices Work (Line Item)												
	24,400					24,400	24,400					24,400
i. Forestry Capital Equipment (Line Item)												
	125,883	42,117				168,000	125,883	42,117				168,000
5. Personal Services Reduction (Line Item)												

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
							238,305	110,217	49,446	3,379		401,347
Total	9,214,584	7,956,757	9,871,444	191,331		27,234,116	8,631,654	4,450,868	9,753,325	185,611		23,021,458

Items 2a through 2d, 3b, and 4f are biennial appropriations.

The department shall conduct a study of the options and methods available for allocating administrative costs to the various state special revenue funds managed by the agency. The department shall present the findings of its study to the legislative finance committee by July 1, 1992, along with its recommendation, affected accounts, and any required statute changes.

Item 2f contains $17,784 a year for abandoned mines bureau rent, and item 2h contains $17,784 a year for coal and uranium bureau rent. These amounts may be expended only if these bureaus remain in the department of state lands.

Item 2i contains $100,000 a year for the hard-rock increase modification. This appropriation is contingent on enactment of House Bill No. 448.

The legislature recommends that the board of land commissioners amend its cabinsite rules to require lessees who apply for sale of their cabinsites to reimburse the department for all expenses it incurs in processing the sale applications.

Item 4 contains $24,400 a year from the general fund to provide training and materials on best management practices to loggers and forest landowners. If federal funds are received for this purpose, the general fund appropriation must be reduced by a like amount.

Item 4d contains $173,100 a year of federal funds for the urban forestry assistance program. The department shall emphasize replacing dead, diseased, and infected trees in Montana communities. Replacement trees that are adapted to and will survive in Montana must be used.

Item 4f contains $10,000 in fiscal 1992 as a biennial appropriation to coordinate and conduct, in consultation with the environmental quality council, audits of the application and effectiveness of voluntary best management practices for timber sales.

Federal fire reimbursement funds are those funds received for expenses incurred from loaning department personnel to federal agencies to assist in fire suppression activities. Only those federal funds received as reimbursement of expenses credited against the department's state forestry operational budget are considered federal fire reimbursement funds. All other federal funds received must be deposited into the general fund. The department shall report federal fire reimbursement expenditures on state accounting records, and the records must be separate from current level operations.

DEPARTMENT OF LIVESTOCK (5603)

1. Centralized Services Program (01)										
85,079	362,709	18,651		466,439	84,993	362,341	18,635		465,969	
a. Audit (Line Item)										
3,899	16,620			20,519						
2. Diagnostic Laboratory Program (03)										
323,971	466,201			790,172	324,002	466,248			790,250	

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
3. Disease Control Program (04)												
		497,254				497,254		498,259				498,259
4. Milk and Egg Program (05)												
	154,883		31,640			186,523	154,227		32,218			186,445
5. Inspection and Control Program (06)												
		2,163,128				2,163,128		2,048,237				2,048,237
a. Livestock Workload Increase (Line Item)												
		55,064				55,064		54,994				54,994
6. Predator Control Program (08)												
		376,531				376,531		274,643				274,643
a. Section 8 (Line Item)												
		20,000				20,000		20,000				20,000
7. Rabies Control (09)												
		15,000				15,000		15,000				15,000
8. Meat and Poultry Inspection Program (10)												
	234,518		234,518			469,036	234,292		234,293			468,585
a. Meat and Poultry Inspection (Line Item)												
	85,377		85,376			170,753	83,397		83,398			166,795
Total												
	887,727	3,972,507	370,185			5,230,419	880,911	3,739,722	368,544			4,989,177
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (5706)												
1. Centralized Services (21)												
	1,274,606	402,106	4,523			1,681,235	1,277,769	402,095	4,497			1,684,361
a. Audit (Line Item)												
	42,617					42,617						
2. Oil and Gas Regulation (22)												
		1,181,618				1,181,618		1,166,906				1,166,906
a. Oil and Gas Environmental Impact Statement -- Montana Environmental Policy Act Compliance (Line Item)												
		50,000				50,000		50,000				50,000

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
3. Conservation and Resource Development Division (23)												
	77,012	1,007,024	55,970			1,140,006	77,442	1,008,515	55,970			1,141,927
a. Eastern Plains Resource Conservation and Development Coordinator (Line Item)												
	15,073		15,074			30,147	15,039		15,040			30,079
b. Eastern Plains Resource Conservation and Development Operating Expenses (Line Item)												
	19,887		19,887			39,774						
4. Water Resources and Planning (24)												
	2,603,943	2,067,263	52,292			4,723,498	2,597,912	2,066,349	52,292			4,716,553
a. Broadwater Equipment (Line Item)												
		336,000				336,000						
b. Rehabilitation of State-Owned Water Projects (Line Item)												
		991,000				991,000						
c. Poplar River Monitoring (Line Item)												
		33,050				33,050		33,750				33,750
d. Middle Creek Dam (Line Item)												
			3,896,925			3,896,925						
e. Smith River (Line Item)												
			1,600,000			1,600,000						
f. Tongue River (Line Item)												
		400,000	1,600,000			2,000,000						
g. Missouri Basin Reservation (Line Item)												
		85,943				85,943		85,747				85,747
h. Missouri River Operating Expenses (Line Item)												
		375,743				375,743						
5. Reserved Water Rights Compact Commission (25)												
	155,550	292,535				448,085	154,939	291,726				446,665
6. Energy Planning (26)												
	498,889	1,259,793	1,117,822			2,876,504	501,023	1,259,744	1,119,373			2,880,140
a. Rock Creek Mitigation (Line Item)												
		400,000				400,000						

	Fiscal 1992						Fiscal 1993				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
b. Lake Broadview (Line Item)		30,000				30,000						
c. Energy Conservation (Line Item)			107,000			107,000			334,500			334,500
7. Personal Services Reduction (Line Item)							141,671	142,100	27,291			311,062
Total	4,687,577	8,912,075	8,469,493			22,069,145	4,482,453	6,222,732	1,554,381			12,259,566

Items 3b, 4a, 4b, 4d through 4f, 4h, 6a, and 6b are biennial appropriations.

All indirect charges collected on oil overcharge funds are appropriated for transfer to the general fund.

Included in centralized services funding is $10,000 a year of indirect funds from major facility siting fees. If major facility siting activities generate more than $20,000 of indirect funds over the biennium, the additional major facility siting fee indirect funds must be used to fund centralized service operations and an equal amount of centralized service division general fund money must be reverted.

The board of oil and gas conservation is appropriated $110,000 a year from federal special revenue, contingent upon receiving federal funds from the environmental protection agency for the underground injection control program.

The department is authorized up to $700,000 from the account established in 76-14-112 for rangeland loans during the 1993 biennium.

The department is appropriated up to $1 million over the biennium from the account established in 85-1-604 for purchase of prior liens on property held as loan security as required by 85-1-618.

All funds deposited into the state special revenue account established in 76-15-530 are appropriated to the department for distribution as grants to conservation districts.

The general fund appropriation in items 3a and 3b may be expended only as a match for an equal amount of federal funds.

Funds appropriated in item 4a must be used to repair and replace equipment at the Broadwater hydropower project and to service the Broadwater hydropower project bond debt if revenue deposited in the debt service account is insufficient for this purpose.

Funds received under the provisions of 85-1-514(4) are appropriated to the department for the purpose of performing duties required under 85-1-514.

Funds received from bonds required by 37-43-306 are appropriated to the department for the purpose of performing remedial action on water wells, providing compensation for damages caused by water well violations, or paying administrative costs incurred by the board of water well contractors.

The department is appropriated up to $700,000 from the Rock Creek mitigation special account in addition to the $400,000 appropriated in item 6a. The total appropriation for item 6a may not exceed $1,100,000 over the biennium.

DEPARTMENT OF AGRICULTURE (6201)

1. Centralized Services Division (15)

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
	182,385	193,940	25,287		34,579	436,191	183,251	194,266	25,277		34,579	437,373
a. Audit (Line Item)												
	26,733					26,733						
2. State Grain Laboratory (25)												
		473,384				473,384		474,926				474,926
a. Grain Laboratory Increase (Line Item)												
		63,546				63,546		43,512				43,512
3. Environmental Management Division (30)												
	705,934	1,489,570	265,290			2,460,794	707,807	1,487,875	265,328			2,461,010
a. Pesticide Program Workload (Line Item)												
		58,361				58,361		60,281				60,281
b. Ground Water Program Workload (Line Item)												
	(388,254)	614,137	69,000			294,883	(515,919)	738,009	69,000			291,090
4. Plant Industry Division (40)												
	464,374	147,480	9,144	11,218		632,216	458,800	149,687	9,189	11,271		628,947
5. Agricultural Development (50)												
	241,462	1,760,318	83,959		258,727	2,344,466	236,663	1,765,202	84,750		259,757	2,346,372
6. Personal Services Reduction (Line Item)												
							43,875	49,356	10,202	20	8,313	111,766
Total												
	1,232,634	4,800,736	452,680	11,218	293,306	6,790,574	1,026,727	4,864,402	443,342	11,251	286,023	6,631,745

Item 3a contains $58,361 in fiscal 1992 and $60,281 in fiscal 1993 for an increase in the pesticide program. Item 3b contains $294,883 in fiscal 1992 and $291,090 in fiscal 1993 for an increase in the ground water program. These appropriations are contingent on enactment of House Bill No. 964.

Item 5 contains $164,459 in fiscal 1992 and $165,458 in fiscal 1993 for the agricultural assistance and counseling program. This appropriation is contingent on enactment of Senate Bill No. 3.

The department is authorized to make grants to state agencies from the growth through agriculture account, as approved by the Montana agriculture development council in accordance with Title 90, chapter 9. The state agency that receives a grant from the Montana agriculture development council is authorized additional appropriation authority equal to the grant amount.

DEPARTMENT OF COMMERCE (6501)

	Fiscal 1992					Fiscal 1993				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
1. Public Safety Division (01)												
	72,000			66,413		138,413		72,000		66,318		138,318
a. Audit (Line Item)												
				464		464						
2. Weights and Measures Bureau (02)												
	443,185					443,185	420,707					420,707
a. Audit (Line Item)												
	1,394					1,394						
b. Equipment Replacement (Line Item)												
	59,386					59,386	24,353					24,353
3. Financial Division (36)												
	845,743					845,743		845,773				845,773
a. Audit (Line Item)												
	2,134					2,134						
b. Bank Analysis Computers (Line Item)												
	27,773					27,773		4,450				4,450
4. Milk Control Bureau (37)												
	291,227					291,227		291,999				291,999
a. Audit (Line Item)												
	835					835						
5. Professional and Occupational Licensing Bureau (39)												
	2,042,341			885,765		2,928,106		2,024,214		885,330		2,909,544
a. Audit (Line Item)												
				7,703		7,703						
b. Impairment Program -- Dentists (Line Item)												
	25,000					25,000		25,000				25,000
6. Aeronautics Division (40)												
	610,790		75,000	65,129		750,919		611,881	75,000	65,067		751,948
a. Audit (Line Item)												
	2,058					2,058						

	Fiscal 1992					Fiscal 1993				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
b. West Yellowstone Airport (Line Item)				17,000		17,000						
7. Transportation Division (50)												
	408,240	71,250	884,530			1,364,020	378,630	71,250	862,732			1,312,612
a. Audit (Line Item)												
	1,466		978			2,444						
b. McCarty Farms (Line Item)												
	180,000					180,000						
c. Local Rail Assistance Grant (Line Item)												
			500,000			500,000						
d. Construction Loan Fund (Line Item)												
		1,800,000				1,800,000						
8. Business Development Division (51)												
	766,720	348,333	2,208,017			3,323,070	768,098	348,333	2,208,017			3,324,448
a. Audit (Line Item)												
	3,949					3,949						
b. Business Development Division (Line Item)												
		35,000				35,000		35,000				35,000
c. Defense Logistics Agency Contract (Line Item)												
		50,267	114,000			164,267		50,266	114,000			164,266
d. EDA/CDBG Revolving Fund (Line Item)												
			169,952			169,952			170,953			170,953
e. Canadian Trade Office (Line Item)												
	14,816	55,000				69,816	14,741	55,000				69,741
f. International Affairs Coordinator (Line Item)												
	40,079	15,000				55,079	40,079	15,000				55,079
g. Small Business Development Centers Expansion (Line Item)												
			75,000			75,000			100,000			100,000
9. Montana Promotion Division (52)												
		4,771,241				4,771,241		4,776,986				4,776,986

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
a. Audit (Line Item)		11,283				11,283						
b. Montana Promotional Division (Line Item)		1,034,028				1,034,028		1,352,234				1,352,234
10. Community Development Bureau (60)	223,870	2,800,940	20,113,510			23,138,320	223,649	2,801,728	20,124,399			23,149,776
a. Audit (Line Item)	1,881	2,794	12,748			17,423						
b. Section 8 Grant Increase (Line Item)			1,000,390			1,000,390			1,000,390			1,000,390
11. Office of Research and Information Services (61)	304,210					304,210	302,281					302,281
a. Audit (Line Item)	874					874						
b. Automation of Census (Line Item)	64,264					64,264	53,466					53,466
12. Local Government Services -- Audit (62)	92,343			1,133,067		1,225,410	92,314			1,132,629		1,224,943
a. Audit (Line Item)				3,244		3,244						
b. Local Government Services Peer Review (Line Item)				10,000		10,000						
13. Local Government Services -- Systems (63)	2,710,776			190,246		2,901,022	2,834,635			189,975		3,024,610
a. Audit (Line Item)	52,994			818		53,812						
14. Local Government Assistance -- Administration (64)				119,724		119,724				120,082		120,082
a. Audit (Line Item)				302		302						

	Fiscal 1992					Fiscal 1993				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
15. Building Codes Bureau (65)												
	31,053	1,255,144				1,286,197	31,008	1,255,598				1,286,606
a. Audit (Line Item)												
	125	3,625				3,750						
b. Vehicle Replacement (Line Item)												
		191,424				191,424						
16. Indian Affairs Coordinator (70)												
	103,164					103,164	103,219					103,219
a. Audit (Line Item)												
	278					278						
b. EEO Grant -- Indian Affairs (Line Item)												
			100,000			100,000			100,000			100,000
17. Health Facilities Authority (71)												
				118,102		118,102				118,049		118,049
a. Audit (Line Item)												
				6,100		6,100						
18. Montana Science and Technology Alliance (73)												
	484,616					484,616	492,668					492,668
a. Audit (Line Item)												
	10,658					10,658						
19. Board of Housing (74)												
				1,984,160		1,984,160				1,977,653		1,977,653
a. Audit (Line Item)												
				64,762		64,762						
20. Investments Division (75)												
				1,585,134		1,585,134				1,584,647		1,584,647
a. Audit (Line Item)												
				104,059		104,059						
b. Additional FTE BOI/HFA Bond (Line Item)												
				22,560		22,560				22,509		22,509

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
c. Investment Portfolio Managers (Line Item)				48,000		48,000				50,585		50,585
21. Montana State Lottery (77)				3,046,215		3,046,215				3,049,359		3,049,359
a. Audit (Line Item)				132,861		132,861						
b. Montana Lottery (Line Item)				3,466,783		3,466,783				3,275,782		3,275,782
c. Lottery Vehicles (Line Item)										55,500		55,500
22. Board of Horseracing (78)		306,578				306,578		307,232				307,232
a. Audit (Line Item)		944				944						
23. Director/Management Services (81)	107,084			775,527		882,611	107,201			774,913		882,114
a. Audit (Line Item)	299			78,920		79,219						
24. Personal Services Reduction (Line Item)							55,874	112,538	50,246	170,517		389,175
Total	6,107,724	16,672,752	25,254,125	13,933,058		61,967,659	5,831,175	14,831,406	24,705,245	13,197,881		58,565,707

If Senate Bill No. 449 is enacted, item 5 is increased $15,000 a year in fiscal 1992 and fiscal 1993.

Item 6 contains $33,176 in fiscal 1992 and $33,226 in fiscal 1993. These amounts are not to be used for moving costs associated with the department of transportation if Senate Bill No. 164 is enacted.

If Senate Bill No. 164 is not enacted, $31,132 from the general fund and $20,754 from federal funds are appropriated to the transportation division for rent and indirect costs for fiscal 1993, and personal services appropriations are reduced by $607 from the general fund and $405 from federal funds in fiscal 1992 and $628 from the general fund and $419 from federal funds in fiscal 1993. If Senate Bill No. 164 is enacted, item 7 contains $31,081 from the general fund and $20,721 from federal funds in fiscal 1992 for moving costs associated with the department of transportation.

Fiscal 1992						Fiscal 1993					
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total

Item 7b is for litigation costs associated with the McCarty Farms case. The department shall seek to recover all general fund expenditures plus interest at a rate of 10% from any settlement in this case.

Items 7b through 7d are biennial appropriations.

Item 8c contains $114,000 a year of federal funds to provide assistance for small businesses in contracting with the federal government. General fund money may not be used in place of these federal funds.

Item 11b contains $64,264 in fiscal 1992 and $53,466 in fiscal 1993 for automation of census data. In preparing the 1995 biennial budget for legislative consideration, the office of budget and program planning and the legislative fiscal analyst's office may not include the expenditures from this item in the current level base.

If revenue deposited to the general fund under the provisions of 61-3-509 is less than the appropriation for district court reimbursement, the department shall reduce the reimbursement to equal the revenue collected.

All revenue deposited in the science and technology development special revenue account, as established in 90-5-305, is appropriated to the Montana board of science and technology development.

TOTAL SECTION C											
24,883,552	65,024,447	55,364,174	16,567,223	311,906	162,151,302	23,530,110	54,402,810	46,996,266	15,836,081	286,023	141,051,290
					D. INSTITUTIONS AND CULTURAL EDUCATION						
MONTANA ARTS COUNCIL (5114)											
1. Promotion of the Arts (01)											
123,729	116,778	198,277			438,784	121,921	116,771	198,253			436,945
a. Audit (Line Item)											
15,784					15,784						
b. Federal Grants -- Biennial (Line Item)											
		307,470			307,470						
c. Federal Grants -- Biennial (Line Item)											
		35,000			35,000						
d. Federal Grants (Line Item)											
		11,535			11,535			11,535			11,535
e. Federal Grants -- Biennial (Line Item)											
		231,130			231,130						

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
Total	139,513	116,778	783,412			1,039,703	121,921	116,771	209,788			448,480
Items 1b, 1c, and 1e (federal grants awarded to local communities and schools) are biennial appropriations.												
LIBRARY COMMISSION (5115)												
1. State Library Operations (01)	961,131	158,161	371,584			1,490,876	979,315	155,232	371,584			1,506,131
a. Audit (Line Item)	15,784					15,784						
b. Federal Grants -- Biennial (Line Item)			1,286,476			1,286,476						
c. Blind and Physically Handicapped -- FTE and Associated Equipment (Line Item)	22,674					22,674	19,451					19,451
d. Library of Congress Dues (Line Item)	1,500					1,500	3,000					3,000
e. Local Library Assistance -- Biennial (Line Item)	437,621					437,621						
f. Western Library Network Equipment (Line Item)	10,000					10,000						
2. Natural Resource Information Services (07)	238,500		15,000			253,500		238,500	15,000			253,500
a. Contract Authority -- Biennial (Line Item			650,000			650,000						
Total	1,438,710	406,661	2,323,060			4,168,431	1,001,766	393,732	386,584			1,782,082

Item 1b (federal grants for local libraries) is a biennial appropriation.

Item 1d (appropriation for library of congress dues) may not be included in the current level base in the agency budget request for the 1995 biennium.

Item 1e (general fund state aid to local libraries) is a biennial appropriation.

In the event coal severance tax allocated to the state library under 15-35-108(3)(f) exceeds the amounts appropriated to the state library for fiscal 1992 and fiscal 1993, the additional funds are appropriated to the state library commission for pass-through to the library federations.

	Fiscal 1992					Fiscal 1993				
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total

The biennial appropriation for the legislative contract authority in item 2a is subject to the following provisions:

(1) Legislative contract authority applies only to federal and private funds.

(2) Legislative contract authority expenditures must be reported on state accounting records. The records must be separate from current level operations.

(3) A report must be submitted by the library commission to the legislative fiscal analyst following the end of each fiscal year of the biennium. The report must include a listing of projects with the related amount of expenditures for each project.

HISTORICAL SOCIETY (5117)

1. Administration Program (01)										
467,500	83,697	33,768			584,965	470,009	83,184	33,768		586,961
a. Audit (Line Item)										
16,707					16,707					
b. Trustees' Reimbursement (Line Item)										
7,654					7,654	7,654				7,654
2. Library Program (02)										
405,110	30,247				435,357	405,465	30,388			435,853
3. Museum Program (03)										
219,191	23,952				243,143	219,078	23,952			243,030
a. Electronic Security (Line Item)										
30,000					30,000					
4. Magazine Program (04)										
48,442			475,804		524,246	48,439			478,887	527,326
a. Audit (Line Item)										
			1,374		1,374					
b. Merchandise Authority (Line Item)										
			30,000		30,000				30,000	30,000
c. Milwaukee Mitigation (Line Item)										
		13,500			13,500					
5. Historical Sites Preservation (06)										
72,571		569,161			641,732	72,712		569,640		642,352
a. Audit (Line Item)										
768		4,038			4,806					

	Fiscal 1992					Fiscal 1993				
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
b. Computers -- Federal (Line Item)											
		11,400			11,400						
Total											
1,267,943	137,896	631,867	507,178		2,544,884	1,223,357	137,524	603,408	508,887		2,473,176

The Montana historical society has submitted for review plans for up to $95,000 in private funds for the 1993 biennium. The Montana historical society is to present a summary report to its appropriations subcommittee during the 1993 legislature that lists the projects funded with these private funds and the expenditures for each project. These funds are not subject to appropriation and are not included in the above totals. This language is contingent upon passage of House Bill No. 45.

The proprietary authority for a statutorily required transfer of general fund money in the magazine program must be increased by the same amount as the pay plan increase for FTEs supported by the general fund.

DEPARTMENT OF INSTITUTIONS (6401)

1. Central Operations Division (10)										
1,589,656				1,589,656	1,590,084					1,590,084
a. Audit (Line Item)										
123,438	41,150	8,512	6,838	179,938						
b. Special Services (Line Item)										
32,500				32,500	32,500					32,500
c. Board of Pardons Staff (Line Item)										
31,511				31,511	27,425					27,425
d. Information System Enhancement (Line Item)										
130,665				130,665	128,024					128,024
2. Corrections Division (20)										
21,310,062	1,304,773	156,768	3,094,179	25,865,782	21,444,540	1,304,775	156,673	3,097,711		26,003,699
a. Corrections Medical (Line Item)										
1,869,975				1,869,975						
b. Staffing for Additional Capacity (Line Item)										
570,878				570,878	774,143					774,143
c. Jail Payments -- Parole Violators (Line Item)										
66,120				66,120	66,120					66,120
d. Operating Cost Increases (Line Item)										

	Fiscal 1992					Fiscal 1993				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
	80,858					80,858	80,858					80,858
e. SRFC Chemical Dependency (Line Item)												
		39,122				39,122		39,053				39,053
f. Female Population Increase (Line Item)												
	78,153					78,153	100,307					100,307
g. WCC Additional Staff (Line Item)												
	66,925					66,925	66,518					66,518
h. Local Jurisdiction Sentencing (Line Item)												
	17,548	17,500				35,048	17,537	17,500				35,037
i. Prerelease Expansion (Line Item)												
	486,395					486,395	508,145					508,145
j. House Arrest (Line Item)												
	45,000					45,000	45,000					45,000
k. Great Falls ISP (Line Item)												
	128,978					128,978	71,836					71,836
l. Probation and Parole Officer Increase (Line Item)												
	132,749					132,749	136,586					136,586
m. Jail -- Graduated Sanctions (Line Item)												
	66,120					66,120	66,120					66,120
n. Targeted Case Managers (Line Item)												
	55,276					55,276	55,158					55,158
o. BLSC Operating Increases (Line Item)												
	3,110					3,110	3,110					3,110
p. New Women's Prerelease Center (Line Item)												
	278,119					278,119	237,043					237,043
3. Mental Health Division (30)												
	29,232,926	735,955	1,021,962			30,990,843	29,477,892	747,232	1,021,962			31,247,086
a. Child and Adolescent Service System Program (Line Item)												
			13,547			13,547						
b. Federal Data Grant (Line Item)												

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
			107,100			107,100			26,775			26,775
c. Service Provider Increases (Line Item)												
	106,381					106,381	214,889					214,889
d. CFA Additional Staff (Line Item)												
	36,100					36,100	36,100					36,100
e. Homeless Block Grants (Line Item)												
			275,000			275,000			275,000			275,000
f. MSH Chemical Dependency Counselors (Line Item)												
	52,912					52,912	53,062					53,062
4. Chemical Dependency Division (40)												
	370,527	1,447,729	2,032,679			3,850,935	370,527	1,436,103	2,032,679			3,839,309
a. Alternative Chemical Dependency Services (Line Item)												
			21,242			21,242			42,516			42,516
b. Community Youth Activity-2 (Line Item)												
			507,834			507,834			15,749			15,749
c. Chemical Dependency Data Grant (Line Item)												
			65,788			65,788			16,447			16,447
5. Developmental Disability Division (50)												
	13,656,901	30,700	13,566			13,701,167	12,662,576	30,700	2,476			12,695,752
a. MDC ICF/MR Certification (Line Item)												
	91,100					91,100	46,564					46,564
b. Eastmont ICF/MR Certification (Line Item)												
	139,510					139,510	139,900					139,900
6. Veterans' Nursing Home Division (60)												
	761,479	1,128,012	770,011			2,659,502	753,954	1,166,609	770,011			2,690,574
7. Personal Services Reduction (Line Item)												
							998,439	62,730	11,899	16,857		1,089,925
Total												
	71,611,872	4,744,941	4,994,009	3,101,017		84,451,839	68,208,079	4,679,242	4,348,389	3,080,854		80,316,564

	Fiscal 1992					Fiscal 1993				
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total

Contracts negotiated or renegotiated by the department may not extend beyond the end of the 1993 biennium unless they contain the clause "subject to legislative appropriation of funds for this contract".

If the department is unable to recruit and hire professional positions funded in the appropriation and required for patient treatment and/or certification, it may transfer up to 100% of the aggregate personal services cost of each class of vacant position or the cost of the required contract, whichever is less, to operating expenses for the purpose of contracting for services that would have been provided if that position were filled. The department shall certify to the governor or his designated representative that:

(1) the department is unable to fill the position or positions; and

(2) the services that would be provided by that position if filled and by the proposed contract are necessary for either federal medicaid certification or the treatment requirements of its correctional institutions.

Within the industries operations in item 2, the department may submit budget amendments to hire 1 FTE marketing representative, 2 FTE shop supervisors, and 1 FTE prison industries procurement coordinator if funding is available.

Within the industries training program in item 2, the department may submit budget amendments to hire 1 FTE vehicle maintenance shop supervisor if funding is available.

The department is authorized to maintain a cash balance of not more than $16,000 at the end of each fiscal year in the prison industries training proprietary account. Any funds in excess of $16,000 in the proprietary account are to offset the general fund appropriation.

Item 2a, the corrections medical budget, is a biennial appropriation.

The department shall submit budget amendments for the local jurisdiction sentencing option program in item 2h if federal funding becomes available. The total general fund and state special fund share of the program may not exceed 50% and must revert to the respective funds to the extent that federal funding is less than $35,000.

Item 2n contains $55,276 in fiscal 1992 and $55,158 in fiscal 1993 for two targeted case managers at the prison. In preparing the 1995 biennial budget for legislative consideration, the office of budget and program planning and the legislative fiscal analyst's office may not include the expenditures from the above items in the current level base.

Transfers may be made between line items within the mental health division and the alcohol and drug abuse division (chemical dependency) for the purpose of accurately allocating operating expenses associated with the alcohol and drug programs on the Galen campus upon approval of the governor or his designated representative.

Included in item 3 are $22,492,426 in fiscal 1992 and $22,717,860 in fiscal 1993 for the operation of Montana state hospital. Except for approved transfers to the chemical dependency division for the purpose of accurately allocating operating expenses associated with the alcohol and drug programs on the Galen campus, no more than 5% of these funds may be transferred.

Included in the appropriation for the Montana state hospital chemical dependency program within item 4 is $1,408,733 in fiscal 1992 and $1,413,201 in fiscal 1993 for the operation of the Galen chemical dependency program. No more than 5% of these funds may be transferred.

In item 5 the department may transfer appropriation authority from the personal services category to the operating expense category of the Montana developmental center budget upon approval of the governor or his designated representative if the downsizing does not take place on schedule.

TOTAL SECTION D

	Fiscal 1992					Fiscal 1993				
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
74,458,038	5,406,276	8,732,348	3,608,195		92,204,857	70,555,123	5,327,269	5,548,169	3,589,741		85,020,302

E. EDUCATION

University units are defined in [section 5 of House Bill No. 454]. For all university units, except the office of the commissioner of higher education, all funds, other than plant funds appropriated in House Bill No. 5, relating to long-range building, and current unrestricted operating funds, are appropriated contingent upon approval of the comprehensive program budget by the board of regents by October 1 of each year. The budget must contain detailed revenue and expenditures and anticipated fund balances of current funds, loan funds, endowment funds, and plant funds. All movement of funds between the current unrestricted subfund and the designated subfund account entities must be clearly identified in the state budgeting and accounting system.

Programs for the university units' budgets, except the office of the commissioner of higher education, include instruction, organized research, public service, academic support, student services, institutional support, operation and maintenance of plant, and scholarships and fellowships.

All university units, except the office of the commissioner of higher education, shall account for expenditures consistently within programs and funds across all units and shall use the national center for higher education management systems program classification structure, along with the college and university business administration (CUBA) system, as a minimum standard for achieving consistency.

OFFICE OF PUBLIC INSTRUCTION (3501)

1. Administration (06)										
2,999,237	370,942	2,752,790	841,713		6,964,682	2,979,056	371,188	2,750,965	836,144	6,937,353
a. Audit (Line Item)										
			52,087		52,087					
b. GAAP Accounting Standards (Line Item)										
177,824					177,824	178,558		178,558		
c. Fee Assessments -- Conferences (Line Item)										
46,000					46,000	15,000				15,000
d. Financial Management (Line Item)										
215,939			72,300		288,239	173,924			60,270	234,194
e. Resource Center Funds (Line Item)										
8,000					8,000					
f. Curriculum General Fund (Line Item)										
480,367					480,367	482,101				482,101
g. Distribution of Migrant Grants (Line Item)										
		320,000			320,000			320,000		320,000

Fiscal 1992						Fiscal 1993					
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
h. Indian Education (Line Item)											
24,071					24,071	23,997					23,997
i. Audiology -- Biennial (Line Item)											
136,000	82,000				218,000						
j. Other Federal Funds (Line Item)											
		292,195			292,195			94,560			94,560
k. Education of the Handicapped -- Part B Administration Set-Aside (Line Item)											
		300,000			300,000			342,000			342,000
l. Race Equity (Line Item)											
		25,000			25,000			25,000			25,000
m. Nutrition Education and Training Grant (Line Item)											
		12,500			12,500			12,500			12,500
n. AIDS Education (Line Item)											
		99,000			99,000			99,000			99,000
o. Drug Free Schools and Communities (Line Item)											
		132,490			132,490			132,490			132,490
p. Chapter 1 Program Improvements (Line Item)											
		50,000			50,000			50,000			50,000
q. ESEA Chapter 2 Program (Line Item)											
		141,843			141,843			141,843			141,843
r. Expanded Co-op Food Purchase (Line Item)											
	12,500				12,500		13,532				13,532
s. Bilingual Grant (Line Item)											
		25,000			25,000			25,000			25,000
t. National Bicentennial Compact (Line Item)											
		7,500			7,500			7,500			7,500
2. Distribution to Schools (09)											
a. Special Education (Line Item)											
32,845,797					32,845,797	32,845,797					32,845,797
b. Special Education Contingency -- Biennial (Line Item)											

Fiscal 1992						Fiscal 1993					
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
2,031,699					2,031,699						
c. Transportation (Line Item)											
6,483,120					6,483,120	6,493,558					6,493,558
d. School Lunch (Line Item)											
599,397					599,397	599,397					599,397
e. Gifted and Talented (Line Item)											
100,000					100,000	100,000					100,000
f. Secondary Vocational Education -- Biennial (Line Item)											
1,800,000					1,800,000						
g. Adult Education (Line Item)											
250,000					250,000	250,000					250,000
h. Impact Aid (Line Item)											
5,000					5,000	5,000					5,000
i. Education of the Handicapped -- Part B Biennial (Line Item)											
		1,356,000			1,356,000						
j. Job Training Partnership Act -- Biennial (Line Item)											
		1,017,200			1,017,200						
k. Adult Basic Education -- Biennial (Line Item)											
		1,198,000			1,198,000						
l. McKinney Homeless Act -- Biennial (Line Item)											
		140,400			140,400						
m. Preschool Incentive -- Biennial (Line Item)											
		230,000			230,000						
n. Vocational Education -- Biennial (Line Item)											
		5,000,000			5,000,000						
o. English Literacy -- Biennial (Line Item)											
		25,000			25,000						
p. Education of the Handicapped -- Part D Biennial (Line Item)											
		45,000			45,000						
q. Chapter 1 -- Biennial (Line Item)											

	Fiscal 1992						Fiscal 1993				
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
		180,000			180,000						
Total											
48,194,451	473,442	13,349,918	966,100		62,983,911	44,146,388	384,720	4,000,858	896,414		49,428,380

Item 1 includes $81,564 in fiscal 1992 and $81,810 in fiscal 1993 in the state special revenue fund from the traffic safety account for motorcycle safety. This appropriation is contingent upon the passage and approval of House Bill No. 763.

The legislature approved the addition of 0.5 FTE from the federal national origins grant and 0.5 FTE from the federal school foods grant. These funds are in item 1.

Item 1f is contingent upon passage and approval of House Bill No. 940.

Item 1i is a biennial appropriation.

Item 2b is a biennial appropriation. This appropriation is for unforeseen expenses that may arise in special education programs in local districts. A district board of trustees may apply for an allocation from these funds by presenting to the superintendent of public instruction, for each child, a child-study (CST) report and an individual education plan (IEP) relating to this unforeseen expense or, if the need for additional personnel is due to caseload excess, a board of trustees' verification of completed IEPs and CSTs. In addition, a current listing of programs, caseloads, and related costs must be submitted. Contingency funds may be awarded for positions that have gone unfilled for an entire school year and for which regular state special education funds were not awarded. The agency may transfer any unused balance in this appropriation into the special education appropriation in item 2a.

Item 2f is a biennial appropriation.

Items 2i through 2q are biennial appropriations.

All revenue received in the state traffic education account under the provisions of 20-7-504, is appropriated to be distributed as provided in 20-7-506.

BILLINGS VOCATIONAL-TECHNICAL CENTER (3511)

1. General Operations (01,07,44)										
1,213,990			682,386	1,896,376	1,198,920				688,861	1,887,781
a. Audit (Line Item)										
25,570				25,570						
Total										
1,239,560			682,386	1,921,946	1,198,920				688,861	1,887,781

Total audit costs are estimated to be $28,412 for the biennium. Ten percent of these costs must be paid from funds other than those appropriated in items 1 and 1a.

BUTTE VOCATIONAL-TECHNICAL CENTER (3512)

1. General Operations (01,07,44)										
1,432,620			351,978	1,784,598	1,463,460				353,473	1,816,933

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
a. Audit (Line Item)	26,992					26,992						
Total	1,459,612				351,978	1,811,590	1,463,460				353,473	1,816,933

Total audit costs are estimated to be $29,990 for the biennium. Ten percent of these costs must be paid from funds other than those appropriated in items 1 and 1a.

GREAT FALLS VOCATIONAL-TECHNICAL CENTER (3513)

1. General Operations (01,07,44)	1,552,944				631,385	2,184,329	1,586,011				634,024	2,220,035
a. Audit (Line Item)	25,570					25,570						
Total	1,578,514				631,385	2,209,899	1,586,011				634,024	2,220,035

Total audit costs are estimated to be $28,412 for the biennium. Ten percent of these costs must be paid from funds other than those appropriated in items 1 and 1a.

HELENA VOCATIONAL-TECHNICAL CENTER (3514)

1. General Operations (01,07,44)	1,998,352				549,089	2,547,441	1,948,771				551,207	2,499,978
a. Audit (Line Item)	26,992					26,992						
Total	2,025,344				549,089	2,574,433	1,948,771				551,207	2,499,978

Total audit costs are estimated to be $29,990 for the biennium. Ten percent of these costs must be paid from funds other than those appropriated in items 1 and 1a.

MISSOULA VOCATIONAL-TECHNICAL CENTER (3515)

1. General Operations (01,07,44)	2,031,178				666,617	2,697,795	1,952,924				670,365	2,623,289
a. Audit (Line Item)	22,728					22,728						

	Fiscal 1992						Fiscal 1993				
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
Total											
2,053,906				666,617	2,720,523	1,952,924				670,365	2,623,289

Total audit costs are estimated to be $25,254 for the biennium. Ten percent of these costs must be paid from funds other than those appropriated in items 1 and 1a.

The commissioner of higher education may transfer county millage collections among the centers. Total revenue received from the 1.5-mill levy that exceeds $965,005 in fiscal 1992 and $981,480 in fiscal 1993 is appropriated to the office of the commissioner of higher education for distribution to the vocational-technical centers and must result in a general fund reversion of a like amount.

It is the intent of the legislature that the board of regents have additional appropriation flexibility to operate the vocational-technical centers during the 1993 biennium. Therefore, the legislature has approved for each vocational-technical center a single appropriation for its general operations. The appropriation for each postsecondary vocational-technical center listed above is for the following programs: instruction, academic support, student services, institutional support, and operation and maintenance of plant. The vocational-technical centers are exempt from [section 2], which requires personal services line items.

It is further the intent of the legislature that all fiscal matters pertaining to the postsecondary vocational-technical centers during the 1993 biennium and the 1995 biennium budget request be recorded, maintained, and submitted, using the college and university business administration (CUBA) fund structure and functional expenditure classifications.

BOARD OF PUBLIC EDUCATION (5101)

1. Administration (01)											
114,186					114,186	114,001					114,001
a. Audit (Line Item)											
1,264					1,264						
b. Board Hearing -- HB 28 -- Biennial (Line Item)											
3,252					3,252						
2. Advisory Council (03)											
71,665					71,665		71,527				71,527
a. Audit (Line Item)											
1,262					1,262						
b. HB 431 (Line Item)											
29,440					29,440		29,440				29,440
Total											
118,702	102,367				221,069	114,001	100,967				214,968

Item 1b is a biennial appropriation.

	Fiscal 1992					Fiscal 1993				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
Item 2b is contingent upon passage and approval of House Bill No. 431.												
COMMISSIONER OF HIGHER EDUCATION (5102)												
1. Administration Program (01)												
	867,967					867,967	855,816					855,816
a. Audit (Line Item)												
	20,519					20,519						
b. Regents Employee Reporting System (Line Item)												
	122,167					122,167	108,015					108,015
2. Student Assistance Program (02)												
	4,720,211		280,000			5,000,211	4,740,262		280,000			5,020,262
a. Increased Supplemental Educational Opportunity Grant Match (Line Item)												
	63,590					63,590	63,590					63,590
b. Increased Perkins Loan Match (Line Item)												
	36,270					36,270	36,270					36,270
c. State Work Study -- Minimum Wage Increase (Line Item)												
	105,203					105,203	105,203					105,203
3. Dwight D. Eisenhower Mathematics and Science Education Act (03)												
			161,561			161,561			161,561			161,561
4. Community College Assistance (04)												
	3,636,325					3,636,325	3,832,042					3,832,042
a. Audit (Line Item)												
	29,890					29,890						
5. Montana University System Group Insurance Program (05)												
				13,763,315		13,763,315				16,047,382		16,047,382
a. Group Insurance Additional Costs (Line Item)												
				140,704		140,704				141,150		141,150
6. Talent Search (06)												
			194,954			194,954			194,422			194,422
a. Talent Search Additional Federal Funds (Line Item)												
			50,000			50,000			50,000			50,000

	Fiscal 1992						Fiscal 1993				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
7. Carl D. Perkins Administration (08)	95,187		5,117,553			5,212,740	79,185		5,101,057			5,180,242
8. Guaranteed Student Loan Program (12)			1,389,549			1,389,549			1,388,846			1,388,846
a. Audit (Line Item)			6,630			6,630						
b. Guaranteed Student Loan Additional Workload (Line Item)			231,038			231,038			231,038			231,038
c. Supplemental Preclaims Unit (Line Item)			42,402			42,402			42,306			42,306
9. Board of Regents -- Administration (13)	33,342					33,342	33,351					33,351
10. Board of Regents Bond Payments (14)	706,255					706,255	698,153					698,153
11. Vocational-Technical Center Administration (15)	99,766					99,766	99,519					99,519
a. Vocational-Technical Center Contingency (Line Item)	200,000					200,000						
Total	10,736,692	7,473,687	13,904,019			32,114,398	10,651,406		7,449,230	16,188,532		34,289,168

The appropriation in item 4 provides 49% and 50% of the total unrestricted budgets for the community colleges in fiscal 1992 and fiscal 1993, respectively. The total unrestricted budgets for the community colleges must be approved by the board of regents.

The general fund appropriation for each community college includes 49% of the total audit cost. The remaining 51% of these costs are to be paid from funds other than those appropriated in items 4 and 4a. Audit costs may not exceed $18,000 each for Dawson and Miles community colleges and $25,000 for Flathead Valley community college for the biennium.

Item 11a is a biennial appropriation.

UNIVERSITY OF MONTANA (5103)												
1. Instruction (01)	21,706,949			2,772,866		24,479,815	21,731,146				2,765,233	24,496,379

	Fiscal 1992						Fiscal 1993				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
2. Organized Research (02)					556,724	556,724					557,260	557,260
3. Public Service (03)					192,894	192,894					192,930	192,930
4. Operation and Maintenance of Plant (07)					5,585,318	5,585,318					5,633,108	5,633,108
5. Scholarships and Fellowships (08)					1,228,074	1,228,074					1,228,074	1,228,074
6. Support (44)												
	6,844,627				5,342,998	12,187,625	6,859,354				5,384,625	12,243,979
a. Audit (Line Item)												
	55,244					55,244						
b. Minimum Wage (Line Item)												
	81,933					81,933	81,933					81,933
c. Library Books (Line Item)												
	331,280					331,280						
d. Regents' Employee Reporting System (Line Item)												
	25,766					25,766	25,766					25,766
Total												
	29,045,799				15,678,874	44,724,673	28,698,199				15,761,230	44,459,429

Total audit costs are estimated to be $110,488 for the biennium. Fifty percent of these costs must be paid from funds other than those appropriated in items 1 through 6.

If House Bill No. 692 is enacted, the funds generated from House Bill No. 692 are in addition to the funds contained in [this act]. It is the intent of the legislature that the current unrestricted budget allocation by the university of Montana to the school of pharmacy not be reduced.

Item 6c is a biennial appropriation.

MONTANA STATE UNIVERSITY (5104)

1. Instruction (01)												
	26,305,010				3,007,225	29,312,235	26,333,845				2,987,847	29,321,692
2. Organized Research (02)												
					612,305	612,305					612,326	612,326

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
3. Public Service (03)					10,752	10,752					10,752	10,752
4. Operation and Maintenance of Plant (07)					6,057,006	6,057,006					6,120,758	6,120,758
5. Scholarships and Fellowships (08)					1,327,730	1,327,730					1,327,730	1,327,730
6. Support (44)	8,224,936				5,668,827	13,893,763	8,238,748				5,715,957	13,954,705
a. Audit (Line Item)	55,244					55,244						
b. Minimum Wage (Line Item)	83,591					83,591	83,591					83,591
c. Library Books (Line Item)	378,280					378,280						
d. Regents' Employee Reporting System (Line Item)	28,580					28,580	28,580					28,580
Total	35,075,641				16,683,845	51,759,486	34,684,764				16,775,370	51,460,134

Total audit costs are estimated to be $110,488 for the biennium. Fifty percent of these costs must be paid from funds other than those appropriated in items 1 through 6. Item 6c is a biennial appropriation.

MONTANA COLLEGE OF MINERAL SCIENCE AND TECHNOLOGY (5105)

1. Instruction (01)	4,601,705				411,118	5,012,823	4,606,865				407,481	5,014,346
2. Organized Research (02)					42,635	42,635					42,750	42,750
3. Operation and Maintenance of Plant (07)					1,581,729	1,581,729					1,593,269	1,593,269
4. Scholarships and Fellowships (08)					201,561	201,561					201,561	201,561

	Fiscal 1992						Fiscal 1993				
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
5. Support (44)											
2,315,032				468,393	2,783,425	2,318,427				474,752	2,793,179
a. Audit (Line Item)											
49,721					49,721						
b. Minimum Wage (Line Item)											
38,935					38,935	38,935					38,935
c. Library Books (Line Item)											
60,920					60,920						
d. Regents' Employee Reporting System (Line Item)											
8,993					8,993	8,993					8,993
Total											
7,075,306				2,705,436	9,780,742	6,973,220				2,719,813	9,693,033

Total audit costs are estimated to be $66,294 for the biennium. Twenty-five percent of these costs must be paid from funds other than those appropriated in items 1 through 5.

Item 5c is a biennial appropriation.

EASTERN MONTANA COLLEGE (5106)

1. Instruction (01)											
5,349,748				2,524,531	7,874,279	5,348,946				2,528,654	7,877,600
2. Public Service (03)											
18,000				243,620	261,620	18,000				244,417	262,417
3. Operation and Maintenance of Plant (07)											
				2,211,829	2,211,829					2,231,632	2,231,632
a. Apsaruke Hall Utilities (Line Item)											
10,000					10,000	10,000					10,000
4. Scholarships and Fellowships (08)											
			382,715	382,715						382,715	382,715
5. Support (44)											
4,969,178				117,382	5,086,560	4,973,623				124,827	5,098,450
a. Audit (Line Item)											

	Fiscal 1992					Fiscal 1993				
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
52,088					52,088						
b. Minimum Wage (Line Item) 39,514					39,514	39,514					39,514
c. Library Books (Line Item) 132,840					132,840						
d. Regents' Employee Reporting System (Line Item) 14,608					14,608	14,608					14,608
Total 10,585,976				5,480,077	16,066,053	10,404,691				5,512,245	15,916,936

Total audit costs are estimated to be $69,450 for the biennium. Twenty-five percent of these costs must be paid from funds other than those appropriated in items 1 through 5.

Item 3a is for utilities expense at Apsaruke hall only. Any unused funds revert to the general fund at the end of each fiscal year.

Item 5c is a biennial appropriation.

NORTHERN MONTANA COLLEGE (5107)

1. Instruction (01) 3,495,427				825,801	4,321,228	3,765,172				556,056	4,321,228
2. Public Service (03)				8,891	8,891					8,891	8,891
3. Operation and Maintenance of Plant (07)				1,185,369	1,185,369					1,196,234	1,196,234
4. Scholarships and Fellowships (08)				278,375	278,375					278,375	278,375
5. Support (44) 2,236,809				193,409	2,430,218	1,970,045				467,452	2,437,497
a. Audit (Line Item) 42,617					42,617						
b. Minimum Wage (Line Item) 44,145					44,145	44,145					44,145
c. Library Books (Line Item)											

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
	62,600					62,600						
d. Regents' Employee Reporting System (Line Item)	9,050					9,050	9,050					9,050
Total	5,890,648				2,491,845	8,382,493	5,788,412				2,507,008	8,295,420

Total audit costs are estimated to be $56,823 for the biennium. Twenty-five percent of these costs must be paid from funds other than those appropriated in items 1 through 5.

Item 5c is a biennial appropriation.

WESTERN MONTANA COLLEGE OF THE UNIVERSITY OF MONTANA (5108)

1. Instruction (01)	2,294,828				267,829	2,562,657	2,294,882				268,691	2,563,573
2. Operation and Maintenance of Plant (07)					759,821	759,821					764,652	764,652
3. Scholarships and Fellowships (08)					89,683	89,683					89,683	89,683
4. Support (44)	1,142,065				353,405	1,495,470	1,142,401				356,123	1,498,524
a. Audit (Line Item)	43,802					43,802						
b. Minimum Wage (Line Item)	42,786					42,786	42,786					42,786
c. Library Books (Line Item)	36,640					36,640						
d. Regents' Employee Reporting System (Line Item)	8,865					8,865	8,865					8,865
Total	3,568,986				1,470,738	5,039,724	3,488,934				1,479,149	4,968,083

Total audit costs are estimated to be $58,402 for the biennium. Twenty-five percent of these costs must be paid from funds other than those appropriated in items 1

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
through 4.												

Item 4c is a biennial appropriation.

Included within current unrestricted funds (contained in the "other" fund column) to the six university units is the sum of $11,887,000 in fiscal 1992 and $12,131,000 in fiscal 1993 from revenue generated under the provisions of 20-25-423. The department of revenue shall levy the full 6 mills as authorized in 20-25-423. Revenue received by the university system under the provisions of 20-25-423 that exceeds $11,887,000 in fiscal 1992 and $12,131,000 in fiscal 1993 is appropriated to the office of the commissioner of higher education for distribution to the university system and must cause a general fund reversion of a like amount.

It is understood by the 52nd legislature that the appropriations contained in [this act] for the six university units may result in the board of regents limiting or reducing enrollment during fiscal 1992 and fiscal 1993. It is the intent of the 52nd legislature that if the board of regents adopts an "enrollment downsizing" policy during the 1993 biennium that results in fewer than 25,064 student full-time equivalents being budgeted for the 1995 biennium, the legislative fiscal analyst shall present to the 53rd legislature a current level budget for the six units of no less than $270,546,206 for the 1995 biennium.

The 52nd legislature intends for the Montana university system to be subject to the personal services line item requirements contained in [section 2]. The dollar amount of the personal services line item is equal to the following:

(1) For the research, public service, and plant programs, the line item amount is equal to the personal services amount contained in table 3 of the Montana university system budget narrative accompanying [this act].

(2) For the instruction program, the line item amount is equal to the personal services amount identified on the original regents'-approved operating budget each fiscal year, but may be no less than the faculty compensation amount contained in table 3 of the Montana university system budget narrative accompanying [this act].

(3) For the support program, the line item amount is equal to the personal services amount identified on the original regents'-approved operating budget each fiscal year.

It is further the intent of the 52nd legislature that the original budgeted personal services by program on the regents' employee reporting system each fiscal year equal the original regents'-approved operating budget by program.

AGRICULTURAL EXPERIMENT STATION (5109)												
1. Organized Research (02)												
7,278,695		2,160,768	9,439,463	7,280,160						2,160,768	9,440,928	
a. Biological Weed Control (Line Item)												
60,000			60,000	125,564							125,564	
2. Livestock and Range Research Station (15)												
		404,375	404,375							389,326	389,326	
Total												
7,338,695		2,565,143	9,903,838	7,405,724						2,550,094	9,955,818	
COOPERATIVE EXTENSION SERVICE (5110)												

	Fiscal 1992					Fiscal 1993				
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
1. Public Service (03)											
2,690,310				2,009,920	4,700,230	2,690,150				2,009,920	4,700,070
Total											
2,690,310				2,009,920	4,700,230	2,690,150				2,009,920	4,700,070
FORESTRY AND CONSERVATION EXPERIMENT STATION (5111)											
1. Research (02)											
711,138					711,138	711,940					711,940
Total											
711,138					711,138	711,940					711,940
BUREAU OF MINES (5112)											
1. Bureau of Mines (11)											
1,318,828				47,500	1,366,328	1,319,720				47,500	1,367,220
Total											
1,318,828				47,500	1,366,328	1,319,720				47,500	1,367,220
SCHOOL FOR THE DEAF AND BLIND (5113)											
1. Administration Program (01)											
204,590					204,590	205,009					205,009
a. Audit (Line Item)											
20,519					20,519						
2. General Services Program (02)											
255,047					255,047	256,885					256,885
3. Student Services (03)											
826,371		35,000			861,371	808,188		35,000			843,188
4. Education (04)											
1,317,179	170,000	131,200			1,618,379	1,315,205	170,000	131,200			1,616,405
a. Supervising Teacher (Line Item)											
33,249					33,249	33,256					33,256

	Fiscal 1992						Fiscal 1993				
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
Total											
2,656,955	170,000	166,200			2,993,155	2,618,543	170,000	166,200			2,954,743
MONTANA COUNCIL ON VOCATIONAL EDUCATION (5116)											
1. Administration Program (01)											
		135,578			135,578			135,650			135,650
a. Audit (Line Item)											
		4,104			4,104						
b. Increased Federal Funding (Line Item)											
		30,000			30,000			30,000			30,000
Total											
		169,682			169,682			165,650			165,650
FIRE SERVICES TRAINING SCHOOL (5119)											
1. Fire Services Training School (01)											
236,279					236,279	219,064					219,064
a. Audit (Line Item)											
2,525					2,525						
Total											
238,804					238,804	219,064					219,064
The fire services training school must be provided office, classroom, and storage space in the Great Falls vocational-technical center at no charge.											
TOTAL SECTION E											
173,603,867	745,809	21,159,487	14,870,119	52,014,833	262,394,115	168,065,242	655,687	11,781,938	17,084,946	52,260,259	249,848,072
TOTAL STATE FUNDING											
454,805,428	277,961,767	602,662,444	217,343,494	54,974,572	1,607,747,705	450,033,028	265,801,623	601,091,404	224,755,575	54,800,028	1,596,481,658"

HB 498, introduced bill, do pass. Report adopted. 3/23/91
HB 511, introduced bill, do pass. Report adopted.
HB 544, introduced bill, do pass. Report adopted.
HB 560, second reading copy, do pass. Report adopted.
HB 786, introduced bill, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HJR 48, introduced by Quilici, Thoft, Driscoll, Peck, Swysgood, referred to Committee on Legislative Administration

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 8 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bergsagel, R. DeBruycker.
Total 2

Excused: Galvin, H. S. Hanson, Larson, Thomas.
Total 4

Absent or not voting: None.
Total 0

SB 84 concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Feland, Forrester, Gervais, Grady, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Madison, McCaffree, McCarthy, McCulloch, Measure,

Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires,

Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 63

Noes: Bachini, Barnett, Bergsagel, Boharski, Clark, Daily, R. DeBruycker, Ellis, Ellison, Foster, Gilbert, Gould, Grinde, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, Pavlovich, Peck, Peterson, Phillips, Quilici, J. Rice, Simpkins, Spring, Swysgood, Thoft, Wallin, Zook.
Total 32

Excused: Galvin, H. S. Hanson, Larson, Thomas.
Total 4

Absent or not voting: J. DeBruycker.
Total 1

SB 87 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Galvin, H. S. Hanson, Larson, Thomas.
Total 4

Absent or not voting: Boharski.
Total 1

SB 107 concurred in as follows:

Ayes: Bardanouve, Beck, Becker, Benedict, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Ellis, Ellison, Fagg, Forrester, Foster, Gervais, Gould, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, T. Nelson, Pavlovich, Quilici, Raney, Ream, J. Rice, Russell, Schye, Stickney, Toole, Wallin, Zook.

Total 54

Noes: Bachini, Barnett, Barnhart, Bergsagel, Boharski, Brooke, Cody, Cohen, Connelly, J. DeBruycker, Driscoll, Elliott, Feland, Gilbert, Grady, Grinde, Hayne, Kasten, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, S. Rice, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Strizich, Swysgood, Thoft, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 42

Excused: Galvin, H. S. Hanson, Larson, Thomas.
Total 4

Absent or not voting: None.
Total 0

SB 198 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Boharski.
Total 1

Excused: Galvin, H. S. Hanson, Larson, Thomas.
Total 4

Absent or not voting: Knox.
Total 1

SB 251 concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 76

Noes: Bachini, Beck, Bergsagel, Cody, Connelly, Daily, Dowell, Elliott, S. J. Hansen, J. Johnson, Madison, Menahan, Nisbet, Pavlovich, Peck, Peterson, Quilici, Schye, Scott, Stang.
Total 20

Excused: Galvin, H. S. Hanson, Larson, Thomas.
Total 4

Absent or not voting: None.
Total 0

SB 264 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Gervais, Gould, Grady, Grinde, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 71

Noes: Barnett, Benedict, Bergsagel, Cody, R. DeBruycker, Ellis, Feland, Foster, Gilbert, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, McCarthy, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Simpkins, Spring, Steppler, Zook.
Total 25

Excused: Galvin, H. S. Hanson, Larson, Thomas.
Total 4

Absent or not voting: None.
Total 0

SB 320 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Gervais, Gould, Grady, Grinde, S. J. Hansen, Harrington, Hoffman, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 80

Noes: Bergsagel, Boharski, J. DeBruycker, R. DeBruycker, Ellison, Feland, Gilbert, M. Hanson, Hayne, J. Johnson, Kasten, L. Nelson, T. Nelson, Peck, Peterson, Steppler.
Total 16

Excused: Galvin, H. S. Hanson, Larson, Thomas.
Total 4

Absent or not voting: None.
Total 0

SB 346 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Cobb, Feland, Kasten, Peterson, Swysgood, Thoft.
Total 6

Excused: Galvin, H. S. Hanson, Larson, Thomas.
Total 4

Absent or not voting: None.
Total 0

SB 440 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Gervais, Gould, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Bergsagel, Cohen, Feland, Gilbert, Grady, Grinde, Hoffman, Swysgood, Thoft.
Total 9

Excused: Galvin, H. S. Hanson, Larson, Thomas.
Total 4

Absent or not voting: None.
Total 0

SB 449 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Forrester.
Total 1

Excused: Galvin, H. S. Hanson, Larson, Thomas.
Total 4

Absent or not voting: None.
Total 0

HB 390, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Messmore, L. Nelson, T. Nelson, O'Keefe, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 70

Noes: Barnett, Beck, Bergsagel, D. Brown, Cobb, Cody, Cromley, Daily, J. DeBruycker, Driscoll, Feland, Forrester, Harrington, Hayne, Kasten, Menahan, Mercer, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Simpkins, Steppler, Strizich.
Total 26

Excused: Galvin, H. S. Hanson, Larson, Thomas.
Total 4

Absent or not voting: None.
Total 0

HB 602, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bergsagel, Gilbert.
Total 2

Excused: Galvin, H. S. Hanson, Larson, Thomas.
Total 4

Absent or not voting: None.
Total 0

HB 625, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Galvin, H. S. Hanson, Larson, Thomas.
Total 4

Absent or not voting: None.
Total 0

Representative Driscoll moved the House recess until 9:10 a.m. Motion carried.

House recessed at 8:20 a.m.

House reconvened at 9:35 a.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/25/91
Correctly printed: HB 30, HB 46, HB 145, HB 234, HB 298, HB 321, HB 371, HB 414, HB 489, HB 491, HB 579, HB 583, HB 647, HB 746, HB 790, HB 795, HB 803, HB 832, HB 940, HB 970, HB 973, HB 980, HB 981, HB 994, HB 995, HB 999, HB 1002, HJR 46.
Correctly engrossed: HB 418, HB 982, HB 987, HB 988, HB 989, HJR 45, SB 8, SB 84, SB 87, SB 107, SB 198, SB 251, SB 264, SB 320, SB 346, SB 440, SB 449.
Correctly enrolled: HB 158, HB 248. 3/23/91
Signed by the Speaker at 1:00 p.m., 3/23/91: HB 60, HB 107, HB 113, HB 160, HB 230, HB 236, HB 237, HB 258, HB 304, HB 331, HB 341, HB 347, HB 379, HB 389, HB 403, HB 413, HB 420, HB 429, HB 462, HB 507, HB 515, HB 587, HB 630, HB 812, HB 863, HB 918, HB 920, HJR 18, HJR 34, SB 86, SB 97, SB 112, SB 120, SB 152, SB 169, SB 170, SB 194, SB 217, SB 237, SB 240, SB 248, SB 254, SB 257, SB 260, SB 261, SB 283, SB 304, SB 310, SB 315, SB 335, SB 364, SB 423.
Delivered to the Governor for his approval at 9:08 a.m., 3/23/91: HB 63, HB 83, HB 87, HB 90, HB 99, HB 105, HB 120, HB 166, HB 274, HB 774.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman): 3/25/91

HB 905, introduced bill, be amended as follows:

1. Title, lines 8 and 9.
Following: "FUND;" on line 8
Strike: remainder of line 8 through "BONDS;" on line 9

2. Title, lines 11 and 12.
Following: "FACILITIES;" on line 11
Strike: remainder of line 11 and line 12 through "PROJECTS;"

3. Title, line 13.
Following: "PARKS"
Insert: ", HISTORIC SITES,"

4. Title, line 14.
Strike: "SECTIONS 17-5-701, 17-5-702,"
Insert: "SECTION"

5. Title, lines 14 through 16.
Following: "17-5-703," on line 14
Strike: remainder of line 14 through "85-1-620," on line 16

6. Page 1, line 19 through page 2, line 1.
Strike: statement of intent in its entirety

7. Page 2, line 5.
Strike: "statutory appropriation --"

8. Page 2, lines 8 through 10.
Following: "fund" on line 8
Strike: remainder of line 8 through "fund," on line 10

9. Page 2, line 13.
Strike: "loans and"

10. Page 2, lines 14 and 15.
Strike: "7"
Insert: "5"

11. Page 2, lines 14 and 16.
Strike: "8"
Insert: "6"

12. Page 2, line 18.
Page 3, line 21.
Page 5, line 10.
Strike: "6"
Insert: "4"

13. Page 2, lines 18 and 19.
Strike: ":
(1)"

14. Page 2, line 22 through page 3, line 15.
Following: "projects" on page 2, line 22
Strike: remainder of line 22 through "needs" on page 3, line 15

15. Page 3, line 20.
Strike: "loan"
Insert: "grant"

16. Page 3, line 22.
Strike: "Loans"
Insert: "Grants"

17. Page 4, lines 1 through 6.
Strike: lines 1 through 5 in their entirety and line 6 through "systems"
Insert: "(a) public buildings, as defined in 37-65-102, including but not limited to interpretive centers and visitors' centers;
(b) areas, sites, or objects subject to the provisions of 23-1-102"

Renumber: subsequent subsection

18. Page 4, lines 17 through 22.
Following: "projects" on line 17
Strike: remainder of line 17 through "projects" on line 22

19. Page 5, line 1.
Strike: "order of priority"

20. Page 5, line 13.
Strike: "and"

21. Page 5, lines 15 through 19.
Strike: "." on line 15
Insert: ";"
Strike: subsection (3) in its entirety through "(a)" on line 19
Insert: "(g)"
Renumber: subsequent subsections

22. Page 6, line 1 through page 7, line 5.
Strike: subsection (4) and sections 5 and 6 in their entirety
Renumber: subsequent sections

23. Page 8, line 3.
Following: "Park"
Insert: ", historic site,"

24. Page 8, line 6.
Following: "parks"
Insert: ", historic sites,"

25. Page 8, line 25 through page 10, line 22.
Strike: sections 9 and 10 in their entirety
Renumber: subsequent sections

26. Page 11, line 19 through page 25, line 9.
Strike: sections 12 through 20 in their entirety
Renumber: subsequent sections

27. Page 25, lines 14 and 17.
Strike: "6"
Insert: "4"

28. Page 25, lines 18 and 20.
Strike: "7"
Insert: "5"

29. Page 25, lines 21 and 24.
Page 26, line 12.
Strike: "8"
Insert: "6"

And, as amended, do pass. Report adopted.

MOTIONS

Representative Driscoll moved HB 731 and HB 795 be taken from second reading and rereferred to the Committee on Appropriations. Motion carried.

Representative Driscoll moved HB 905 be taken from second reading and rereferred to the Committee on Appropriations. Motion carried.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Pavlovich in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 2 - Representative Bardanouve moved HB 2 do pass.

Representative Quilici explained Section A of HB 2.

Representative Cobb made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Cobb moved HB 2, Section A, second reading copy, be amended (amendment #1). Amendment #1 failed as follows: (37-61)

Representative Cobb moved HB 2, Section A, second reading copy, be amended as follows (amendment #2):

1. Page A-1, following line 10.
Insert: "2. Personal Services Reduction (Line item)"
"19,686" (General fund, fiscal 1992)
"21,171" (State special revenue, fiscal 1992)
"19,667" (General fund, fiscal 1993)
"21,147"(State special revenue, fiscal 1993)

2. Page A-7, following line 4.
Insert: "4. Personal Services Reduction (Line item)"
"5,300" (General fund, fiscal 1992)
"971" (State special revenue, fiscal 1992)
"2,025" (Proprietary, fiscal 1992)
"5,321" (General fund, fiscal 1993)
"970" (State special revenue, fiscal 1993)
"2,033" (Proprietary, fiscal 1993)

Representative Kadas moved the amendment (#2) be divided. Motion carried.

Amendment #2 (#1) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Becker, Benedict, Bergsagel, Boharski, D. Brown, Cobb, Cocchiarella, Cromley, R. DeBruycker, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, T. Nelson, Peck, Peterson, Phillips, Raney, J. Rice, S. Rice, Simpkins, Spring, Stang, Steppler, Swysgood, Thoft, Tunby, Wallin, Wanzenried, Zook.
Total 51

Noes: Barnhart, Beck, Bradley, Brooke, J. Brown, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Ream, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Toole, Whalen, Wyatt, Mr. Speaker.
Total 46

Excused: H. S. Hanson, Thomas.
Total 2

Absent or not voting: Clark.
Total 1

Amendment #2 (#2) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Becker, Benedict, Bergsagel, Boharski, Cobb, Cocchiarella, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, M. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Peterson, Phillips, J. Rice, Scott, Simpkins, Spring, Stang, Steppler, Swysgood, Thoft, Toole, Tunby, Wallin, Zook.
Total 50

Noes: Barnhart, Beck, Bradley, Brooke, D. Brown, J. Brown, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Russell, Schye, Southworth, Squires, Stickney, Strizich, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 47

Excused: H. S. Hanson, Thomas.
Total 2

Absent or not voting: Clark.
Total 1

Representative Driscoll moved the House recess until 1:25 p.m. Motion carried.

House recessed at 12:05 p.m.

House reconvened at 1:30 p.m. Chairman Pavlovich in the Chair.

Representative D. Brown moved the House reconsider its action on Representative Cobb's amendment #2 (#2) to HB 2, Section A, second reading copy. Motion carried as follows:

Ayes: Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 59

Noes: Bachini, Bardanouve, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Ellis, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Peck, Peterson, Phillips, J. Rice, Simpkins, Spring, Swysgood, Thoft, Tunby, Wallin, Zook.
Total 39

Voted Absentee: Whalen, Aye.

Excused: H. S. Hanson, Thomas.
Total 2

Absent or not voting: None.
Total 0

Amendment #2 (#2) failed as follows: (41-57)

Representative Cobb moved the House reconsider its action on Representative Cobb's amendment #2 (#1) to HB 2, Section A, second reading copy. Motion carried.

Representative Cobb moved amendment #2 (#1) do not pass. Motion carried as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Bachini, Bardanouve, Bergsagel, Feland, Hayne, Mercer, Peck, S. Rice, Stang, Swysgood, Thoft, Wanzenried.
Total 12

Voted Absentee: H. S. Hanson, Thomas, Ayes.

Excused: Whalen.
Total 1

Absent or not voting: Boharski, Ellis.
Total 2

Representative Boharski moved HB 2, Section A, second reading copy, be amended (amendment #3).

Representative D. Brown moved the amendment #3 be divided. Motion carried.

Amendment #3 (#1, #3, #4) failed as follows: (45-51)

Representative Boharski withdrew amendment #3 (#2, #5)

Representative Cody moved HB 2, Section A, second reading copy, be amended as follows (amendment #4):

1. Page A-5.
Following: line 4
Insert: "7. Salary Increase -- Deputy Clerk of Supreme Court (Line Item)"
"3,323" (general fund fiscal 1992)
"3,323" (general fund fiscal 1993)
Renumber: subsequent item

LFA will amend totals

Amendment #4 passed as follows:

Ayes: Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 57

Noes: Bachini, Bardanouve, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, M. Hanson, Hayne, R. Johnson, Kadas, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Simpkins, Southworth, Spring, Swysgood, Thoft, Tunby, Wallin.
Total 41

Excused: H. S. Hanson, Thomas.
Total 2

Absent or not voting: None.
Total 0

Representative Wanzenried moved HB 2, Section A, second reading copy, be further amended (amendment #5). Amendment #5 failed as follows: (49-51)

Representative Kadas moved HB 2, Section A, second reading copy, be further amended as follows (amendment #6):

1. Page A-12.
Strike: lines 7 and 8 in their entirety

Amendment #6 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Cromley, Daily, Darko, J. DeBruycker, Dowell, Driscoll, Elliott, Feland, Forrester, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, O'Keefe, Peck, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Southworth, Squires, Stang, Steppler, Swysgood, Thoft, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 60

Noes: Barnett, Becker, Bradley, Clark, Cody, Connelly, Davis, R. DeBruycker, Dolezal, Ellis, Ellison, Fagg, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, M. Hanson, Hayne, R. Johnson, Keller, Knox, Mercer, Messmore, T. Nelson, Nisbet, Pavlovich, Peterson, Quilici, Schye, Simpkins, Spring, Stickney, Strizich, Tunby, Zook.
Total 38

Excused: H. S. Hanson, Thomas.
Total 2

Absent or not voting: None.
Total 0

Representative Driscoll moved HB 2, Section A, second reading copy, be further amended as follows (amendment #7):

1. Regarding page A-14.
(The following is a directive to the LFA and not an amendment to House Bill 2)

"Within Item 2, page A-14, the legislative fiscal analyst is directed to move $3,992,732 in fiscal 1992 and $4,215,082 in fiscal 1993 from operating expenses (contract services) to personal services, as shown in the table on page A-119 of the LFA House Bill 2 narrative (house floor copy -- white)."

Amendment #7 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Benedict, Bergsagel, Boharski, Clark, Ellison, Feland, Gilbert, Gould, Grinde, R. Johnson, Swysgood.
Total 11

Excused: H. S. Hanson, Thomas.
Total 2

Absent or not voting: None.
Total 0

Representative Cohen moved HB 2, Section A, second reading copy, be further amended (amendment #8): Amendment #8 failed as follows: (35-62)

Representative Toole moved HB 2, Section A, second reading copy, be further amended as follows (amendment #9):

1. Page A-21, line 10.
Following: line 9.
Insert: "In item 10 b, the department is encouraged to add two attorney FTE so as to be able to perform legal work with division employees whenever possible and feasible."

LFA will amend totals.

Amendment #9 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Galvin, Gervais, Gilbert, Grinde, S. J. Hansen, Harrington, Hoffman, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 72

Noes: Bachini, Boharski, Clark, Connelly, R. DeBruycker, Dolezal, Feland, Foster, Gould, Grady, M. Hanson, Hayne, J. Johnson, R. Johnson, Keller, Peck, Peterson, Phillips, Spring, Steppler, Swysgood, Thoft, Tunby, Wallin, Wyatt.
Total 25

Voted Absentee: Raney, Aye.

Excused: H. S. Hanson, Thomas.
Total 2

Absent or not voting: Ellison.
Total 1

Representative Whalen moved HB 2, Section A, second reading copy, be further amended (amendment #10). Amendment #10 failed as follows: (20-77)

Debate on Section A of HB 2 closed at this time.

Representative Stang in the Chair at this time.

Representative Bradley explained Section B of HB 2.

Representative Messmore moved HB 2, Section B, second reading copy, be amended as follows (amendment #1):

1. Page B-4, following line 3.
Insert: "e. Vaccine (Line Item)"
"103,540" (federal fund fiscal 1992)
"101,774" (federal fund fiscal 1993)

Amendment #1 passed as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Galvin, Gervais, Gilbert, Gould, Grinde, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Whalen, Wyatt, Zook.
Total 72

Noes: Bachini, Bardanouve, Benedict, Bergsagel, J. DeBruycker, Ellis, Ellison, Feland, Forrester, Foster, Kadas, Kasten, Kilpatrick, Lee, Measure, Peck, Ream, Swysgood, Thoft, Wanzenried, Mr. Speaker.
Total 21

Excused: H. S. Hanson, Thomas.
Total 2

Absent or not voting: Cohen, Grady, S. J. Hansen, Phillips, Quilici.
Total 5

Representative Cobb moved HB 2, Section B, second reading copy, be further amended as follows (amendment #2):

1. Page B-5, lines 2 and 3.
Strike: lines 2 and 3 in their entirety
Insert: "Item 2 includes a total of $25,000 of general fund each year that must be used to perform tests as needed on behalf of the food and consumer safety and occupational health bureaus within the department. If these funds are not needed for testing in the food and consumer safety and occupational health bureaus, they may be expended for other services within the laboratories."

Amendment #2 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: H. S. Hanson, Thomas.
Total 2

Absent or not voting: None.
Total 0

Representative Wanzenried moved HB 2, Section B, second reading copy, be further amended as follows (amendment #3):

1. Page B-6, line 3.
Strike: "2,787,914 2,740,760"
Insert: "2,766,128 2,719,021"

LFA will amend totals.

Amendment #3 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Galvin, Gervais, Gould, S. J. Hansen, M. Hanson, Harrington, Kadas, Kasten, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Peck, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 72

Noes: Barnett, Benedict, Bradley, Clark, Daily, Ellison, Foster, Gilbert, Grady, Grinde, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Knox, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, J. Rice, Simpkins, Spring, Swysgood, Wallin.
Total 26

Excused: H. S. Hanson, Thomas.
Total 2

Absent or not voting: None.
Total 0

Representative Wanzenried moved HB 2, Section B, second reading copy, be further amended as follows (amendment #4):

1. Page B-5, lines 21 and 22.
Strike: lines 21 and 22 in their entirety

2. Page B-7, line 17.
Strike: line 17 in its entirety

Amendment #4 passed as follows:

Ayes: Bachini, Bardanouve, Beck, Becker, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dowell, Driscoll, Elliott, Forrester, Galvin, S. J. Hansen, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, L. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, S. Rice, Russell, Scott, Southworth, Squires, Stang, Steppler, Stickney, Toole, Wallin, Wanzenried, Wyatt, Mr. Speaker.
Total 50

Noes: Barnett, Barnhart, Benedict, Bergsagel, Boharski, Bradley, Clark, Cobb, Daily, Dolezal, Ellis, Ellison, Fagg, Feland, Foster, Gervais, Gilbert, Gould, Grady, Grinde, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Lee, Menahan, Mercer, Messmore, T. Nelson, Pavlovich, Peterson, Phillips, Quilici, J. Rice, Schye, Simpkins, Spring, Strizich, Swysgood, Thoft, Tunby, Zook.
Total 47

Excused: H. S. Hanson, Thomas.

Total 2

Absent or not voting: Whalen.
Total 1

Representative Pavlovich moved HB 2, Section B, second reading copy, be further amended as follows (amendment #5):

1. Page B-8.
Following: line 10
Insert: "e. AFDC/General Assistance at 42% of Federal Poverty Index (Line Item)"
"537,529" (general fund 1992)
"29,142" (state special revenue 1992)
"1,135,730" (federal special revenue 1992)
"1,199,824" (general fund 1993)
"67,125" (state special revenue 1993)
"2,622,980"(federal special revenue 1993)

2. Page B-12.
Following: line 15
Insert: "Item 1e is additional funding to set AFDC and general assistance payment levels at 42% of the federal poverty index."

LFA will amend totals

Amendment #5 passed as follows:

Ayes: Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 58

Noes: Bachini, Bardanouve, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cromley, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, Mercer, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Simpkins, Spring, Stang, Steppler, Swysgood, Thoft, Zook.
Total 40

Excused: H. S. Hanson, Thomas.
Total 2

Absent or not voting: None.
Total 0

Representative Cody moved HB 2, Section B, second reading copy, be further amended as follows (amendment #6):

1. Page B-9, lines 4 and 5.
Strike: lines 4 and 5 in their entirety
Renumber: subsequent subsections

Amendment #6 passed as follows:

Ayes: Bachini, Barnett, Benedict, Bergsagel, Boharski, D. Brown, Clark, Cobb, Cocchiarella, Cody, Cromley, Daily, Darko, J. DeBruycker, Dowell, Driscoll, Ellis, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grinde, Hayne, Hoffman, J. Johnson, Kasten, Keller, Kilpatrick, Kimberley, McCaffree, McCarthy, Mercer, L. Nelson, Pavlovich, Peck, Peterson, Phillips, Quilici, Russell, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Wallin, Wyatt, Zook.
Total 53

Noes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, J. Brown, Cohen, Connelly, Davis, R. DeBruycker, Dolezal, Elliott, Ellison, Fagg, Foster, Grady, S. J. Hansen, M. Hanson, Harrington, R. Johnson, Kadas, Knox, Larson, Lee, Madison, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Raney, Ream, J. Rice, S. Rice, Schye, Southworth, Strizich, Toole, Tunby, Wanzenried.
Total 43

Excused: H. S. Hanson, Thomas, Mr. Speaker.
Total 3

Absent or not voting: Whalen.
Total 1

Representative Driscoll moved HB 2, Section B, second reading copy, be further amended as follows (amendment #7):

1. Page B-14, lines 12 and 13.
Strike: lines 12 and 13 in their entirety

Renumber: subsequent subsections

2. Page B-16, line 2.
Strike: "2g"
Insert: "2f"

LFA will amend totals.

Amendment #7 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Benedict, Bergsagel, Boharski, Clark, Cohen, Cromley, Davis, J. DeBruycker, R. DeBruycker, Driscoll, Elliott, Ellis, Forrester, Foster, Galvin, Gilbert, Gould, Grinde, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Scott, Southworth, Steppler, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Zook.
Total 51

Noes: Barnhart, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Dolezal, Dowell, Ellison, Fagg, Feland, Gervais, Grady, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Whalen, Wyatt.
Total 46

Excused: H. S. Hanson, Thomas, Mr. Speaker.
Total 3

Absent or not voting: None.
Total 0

Representative Cobb moved HB 2, Section B, second reading copy, be further amended as follows (amendment #8):

1. Page B-15, line 19.
Following: "services."
Insert: "The department may transfer the targeted case management program for the developmentally disabled to the department of social and rehabilitation services during the 1993 biennium."

Amendment #8 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: H. S. Hanson, Thomas.
Total 2

Absent or not voting: None.
Total 0

Representative Cobb moved HB 2, Section B, second reading copy, be further amended as follows (amendment #9):

1. Page B-12.

Following: line 15
Insert: "The department may, beginning October 1, 1991, pay AFDC recipients a transition-to-work allowance. The allowance may be used for travel and relocation expenses of the recipient and family to another county or state. AFDC recipients are eligible to receive this allowance under rules adopted by the department. The rules may establish limitations on the amount to be paid and require that the recipient have verification of employment, an employment interview, or acceptance into an approved educational or training program. Expenses for a transition-to-work allowance may be paid from the appropriation for AFDC benefits."

Amendment #9 passed as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cody, Connelly, Cromley, Darko, J. DeBruycker, R. DeBruycker, Dowell, Elliott, Ellis, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Knox, Lee, McCaffree, McCarthy, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Peck, Peterson, Phillips, J. Rice, S. Rice, Russell, Simpkins, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Whalen, Wyatt, Zook.
Total 64

Noes: Bardanouve, Barnett, Bradley, Cocchiarella, Cohen, Daily, Davis, Dolezal, Driscoll, Ellison, Forrester, Galvin, Gervais, J. Johnson, Kilpatrick, Kimberley, Larson, Madison, McCulloch, Measure, Menahan, O'Keefe, Pavlovich, Quilici, Raney, Ream, Schye, Scott, Southworth, Spring, Stang, Wallin, Wanzenried, Mr. Speaker.
Total 34

Excused: H. S. Hanson, Thomas.
Total 2

Absent or not voting: None.
Total 0

Representative Cobb moved HB 2, Section B, second reading copy, be further amended (amendment #10). Amendment #10 failed as follows: (32-63)

Representative Cobb moved HB 2, Section B, second reading copy, be further amended (amendment #11): Amendment #11 failed as follows: (44-53)

Representative Driscoll moved HB 2, Section B, second reading copy, be further amended as follows (amendment #12):

1. Page B-13, line 24.

Strike: "1,693,773	542,337	1,693,631	533,438"
Insert: "1,652,795	529,219	1,652,591	520,514"

LFA will amend totals.

Amendment #12 passed as follows:

Ayes: Bachini, Bardanouve, Beck, Bergsagel, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dowell, Driscoll, Elliott, Ellis, Ellison, Feland, Forrester, Galvin, Gilbert, Grinde, S. J. Hansen, Hayne, Kasten, Keller, Kilpatrick, Larson, Madison, McCaffree, McCulloch, Measure, L. Nelson, T. Nelson, Pavlovich, Peck, Raney, Scott, Southworth, Spring, Squires, Stang, Swysgood, Thoft, Toole, Wallin, Wanzenried, Wyatt, Mr. Speaker.
Total 53

Noes: Barnett, Barnhart, Becker, Benedict, Boharski, Bradley, Brooke, Clark, Cody, Dolezal, Fagg, Foster, Gervais, Gould, Grady, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kimberley, Knox, Lee, McCarthy, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Steppler, Stickney, Strizich, Tunby, Whalen, Zook.
Total 45

Excused: H. S. Hanson, Thomas.
Total 2

Absent or not voting: None.
Total 0

Representative Cocchiarella moved HB 2, Section B, second reading copy, be further amended as follows (amendment #13):

1. Page B-1, lines 5 and 6.
Strike: lines 5 and 6 in their entirety.
Renumber: subsequent subsection

LFA will adjust totals.

Amendment #13 passed as follows:

Ayes: Bachini, Bardanouve, Beck, Becker, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dowell, Driscoll, Elliott, Feland, Forrester, Galvin, Gervais, Gould, Grinde, Harrington, Kasten, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCulloch, Measure, Peck, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Swysgood, Thoft, Tunby, Wanzenried, Whalen, Wyatt.
Total 52

Noes: Barnett, Barnhart, Benedict, Bradley, Clark, Daily, Dolezal, Ellis, Ellison, Fagg, Foster, Gilbert, Grady, S. J. Hansen, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Larson, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, J. Rice, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wallin, Zook, Mr. Speaker.

Total 46

Excused: H. S. Hanson, Thomas.
Total 2

Absent or not voting: None.
Total 0

Representative Cobb moved HB 2, Section B, second reading copy, be further amended (amendment #14). Amendment #14 failed as follows: (37-61)

Representative Mercer moved the House reconsider its action on Representative Wanzenried's amendment #4 to HB 2, Section B, second reading copy. Motion failed as follows: (49-51)

Debate on Section B of HB 2 closed at this time.

Representative Kimberley explained Section C of HB 2.

Representative Driscoll moved the committee rise. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/25/91
Correctly printed: HB 20, HB 498, HB 511, HB 544, HB 560, HB 786, HB 905, HB 977, HB 978.
Correctly enrolled: HB 146, HB 191, HB 410, HB 758, HB 819, HB 840, HJR 11, HJR 29.
Examined by the sponsor and found to be correct:
HB 146 - Wanzenried
HB 191 - Measure
HB 410 - Cobb
HB 654 - Ellis
HB 758 - Barnhart
HB 819 - Russell
HB 840 - Grady
HJR 11 - Knox
HJR 29 - Squires
Signed by the Speaker at 12:00 noon, 3/25/91: HB 654, SB 231.
Delivered to the Governor for his approval at 10:20 a.m., 3/25/91: HB 60, HB 107, HB 113, HB 118, HB 153, HB 158, HB 160, HB 193, HB 230, HB 232, HB 236, HB 237, HB 248, HB 258, HB 279, HB 286, HB 295, HB 296, HB 304, HB 307, HB 331, HB 341, HB 347, HB 379, HB 389, HB 392, HB 403, HB 413, HB 420, HB 422, HB 424, HB 429, HB 436, HB 462, HB 479, HB 507, HB 515, HB 537, HB 562, HB 587, HB 630, HB 663, HB 675, HB 794, HB 812, HB 848, HB 863, HB 902, HB 918, HB 920, HB 922.
Delivered to the Governor for his approval at 4:37 p.m., 3/25/91: HB 654.
Delivered to the Secretary of State at 2:00 p.m., 3/25/91: HJR 7, HJR 18, HJR 33, HJR 34

APPROPRIATIONS (Bardanouve, Chairman): 3/25/91
HB 179, introduced bill, be amended as follows:

1. Title, lines 4 and 5.
Strike: "MAKING A STATUTORY APPROPRIATION OF REVENUE FROM THE STATE LOTTERY"
Insert: "APPROPRIATING FUNDS"

2. Title, line 7.
Following: "CEMETERY;"
Strike: "AMENDING SECTION 23-5-1027, MCA;"

3. Page 1, line 11 through page 2, line 14.
Strike: section 1 in its entirety
Insert: "NEW SECTION. Section 1. Appropriation. There is appropriated the following amounts from the general fund to the department of military affairs for the upgrading and maintenance of the state veterans' cemetery:

Fiscal year 1992	$22,806
Fiscal year 1993	22,795"

And, as amended, do pass. Report adopted.

HB 300, introduced bill, do pass. Report adopted.
HB 365, introduced bill, be amended as follows:

1. Page 1, line 12.
Following: "fund"
Strike: "$160,000"
Insert: "$60,000"

And, as amended, do pass. Report adopted.

HB 454, introduced bill, be amended as follows:

1. Page 10, line 19.
Following: "Butte,"
Insert: "the fire services training school at Great Falls,"

2. Page 12, line 18.
Following: "5%."
Strike: "The"
Insert: "Except as provided in subsection (2), the"

3. Page 12, line 24.
Following: line 23
Insert: "(2) The expenditure of money appropriated in the general appropriations act to the university system units, as defined in [section 5], is contingent upon approval of an operating budget by October 1 of each fiscal year. All other requirements in this section apply to the university system."
Renumber: subsequent subsections

4. Page 15, line 20 through page 16, line 7.
Strike: section 14 in its entirety
Renumber: subsequent sections

5. Page 22, lines 14 through 17.
Strike: subsection (4) in its entirety

And, as amended, do pass. Report adopted.

HB 497, second reading copy, be amended as follows:

1. Page 9, line 24.
Following: line 23
Insert: "NEW SECTION. Section 4. Payment of county assessor salary. The amount of county assessors' salaries to be paid by the state for fiscal 1992 and fiscal 1993 is limited to the amount of money appropriated in [this act] and any pay plan bill that is enacted for that purpose."
Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 508, introduced bill, be amended as follows:

1. Page 8, line 24.
Following: "from the"
Strike: "general fund"
Insert: "state special revenue account 02429"

2. Page 8, line 25.
Following: "1993,"
Strike: "$50,800"
Insert: "the balance remaining in that account on June 30, 1991,"

And, as amended, do pass. Report adopted.

HB 520, second reading copy, be amended as follows:

1. Page 2, line 2.
Strike: "$4.50"
Insert: "$3.50"

2. Page 2, line 3.
Strike: "$5.50"
Insert: "$4"
Strike: "$11.50"
Insert: "$8"

And, as amended, do pass. Report adopted.

HB 524, second reading copy, be amended as follows:

1. Page 3, lines 14 through 16.
Following: "[section 4]"
Strike: "carries the highest priority of any programs that may be funded from stripper well payments."
Insert: "is to be funded after the low-income leaking underground home heating oil tank replacement program appropriation in [section 10 of House Bill No. 10] and before the institutional conservation program appropriation in [section 11 of House Bill No. 10]."

2. Page 3, lines 24 and 25.
Following: "904]"
Strike: "have lower priority than the appropriation of stripper well payments in [section 4]"
Insert: "are prioritized as stated in those bills, respectively, and in this section"

And, as amended, do pass. Report adopted.

HB 569, second reading copy, be amended as follows:

Title, lines 4 and 5.
Strike: "GENERAL FUND AND"

1. Page 1, line 8.
Following: line 7
Insert: "STATEMENT OF INTENT

It is the intent of the legislature that the department of family services, in conjunction with the department of administration, information services division, plan, design, develop, and implement a management information system for the department of family services. This includes the importation of compatible automated systems successfully installed and operating in other state or public jurisdictions, when possible, if such importation is determined by the information services division and department of family services to be feasible and cost-effective.

Additionally, it is the intent of the legislature that the appropriation in this bill be utilized only for the purpose of planning, designing, developing, and implementing the management information system, including software and hardware acquisition. It is understood that the department of family services will access and maximize use of any current and forthcoming federal funds available for this project. The department of family services will provide ongoing progress reports to the legislative finance committee regarding the management information system."

2. Page 1, lines 10 through 18.
Following: "Appropriation."
Strike: remainder of section
Insert: "Upon final determination of all general fund money in the department's unreconciled special revenue fund balance and the deposit of these funds in the general fund, the lesser of $627,376 or the amount available from the balance after funding $438,795 in fiscal 1992 and $485,182 in fiscal 1993 appropriated to the

department of social and rehabilitation services from the TEAMS project is appropriated from the general fund to the department of family services for the purchase and development of a management information system and may not be used for other purposes. In addition, there is appropriated the following for this purpose:

Fiscal year 1992 $67,000 from the federal state revenue fund

Fiscal year 1993 67,000 from the federal state revenue fund"

And, as amended, do pass. Report adopted.

HB 645, introduced bill, be amended as follows:

1. Title, lines 4 and 5.
Strike: "APPROPRIATING" on line 4 through "GRANTS" on line 5
Insert: "PROVIDING FOR LONG-TERM LOANS"

2. Page 1, line 11.
Strike: "Appropriation"
Insert: "Long-term loans"

3. Page 1, lines 11 through 14.
Strike: "(1)" on line 11 through "school" on line 14
Insert: "School"

4. Page 1, line 16.
Following: "use"
Insert: "may apply for long-term loans for use in replacing school property under the provisions of Title 17, chapter 5, part 16"

5. Page 1, line 17 through 21.
Strike: subsection (2) in its entirety

And, as amended, do pass. Report adopted.

HB 684, introduced bill, be amended as follows:

1. Title, lines 4 through 7.
Following: second "ACT" on line 4
Strike: remainder of line 4 through "CENTER;" on line 7
Insert: "PROVIDING AN APPROPRIATION TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION TO MAKE A LOAN TO THE MHD-CORETTE PROJECT; PROVIDING FOR MATCHING REQUIREMENTS; DESIGNATING THE PURPOSE FOR WHICH THE LOAN MUST BE USED; PROVIDING FOR LOAN REPAYMENT;"

2. Page 1, line 11 through page 2, line 10.
Following: "(1)"
Strike: remainder of line 11 through page 2, line 10 in their entirety
Insert: "There is appropriated $250,000 from the local impact account to the department of natural resources and conservation to be used by June 30, 1993, for the loan described in subsection (2).

(2) A loan of $250,000 to the MHD-Corette project is approved at an interest rate of 12% compounded annually. The loan must be matched on a 1-to-1 basis from nonstate appropriated sources, used for developing the project's application to receive clean coal technology program funding from the U.S. department of energy, and repaid to the state special revenue fund for state equalization aid to public schools from revenue the project's owner derives from the sale or licensing of the MHD technology or from the sale, lease, or licensing of the project. The total debt of the project related to this loan may not exceed 2 1/2 times the loan amount."

And, as amended, do pass. Report adopted.

HB 692, introduced bill, be amended as follows:

1. Title, line 16.
Following: "DATE"
Insert: ", A TERMINATION DATE,"

2. Page 5, line 21.
Following: "in the"
Strike: "special revenue"
Insert: "restricted subfund of the current"

3. Page 9, line 21 through line 22.
Following: "shall"
Strike: remainder of line 21 through line 22 in its entirety

4. Page 9, line 23.
Following: "deposit the"
Strike: "balance of the"

5. Page 11, line 9.
Following: "shall"
Strike: remainder of line 9 and line 10 in its entirety

6. Page 11, line 11.
Strike: "37-7-324 and shall"
Following: "deposit the"
Strike: "balance of the"

7. Page 12, line 7.
Following: "and"
Strike: "stores"
Insert: "wholesalers"
Following: "drugs"
Insert: "to unlicensed retailers"

8. Page 12, lines 8 through 10.
Strike: lines 8, 9, and 10 in their entirety
Insert: "A manufacturer licensed under [section 9] or a wholesaler licensed under [Senate Bill No. 135 or section 10 of this act] may not sell an

over-the-counter drug to a retailer who is not licensed by the board as a pharmacy or an over-the-counter store. The board may suspend or revoke, subject to the opportunity for a contested case hearing, the license of any manufacturer or wholesaler that it finds has sold one or more over-the-counter drugs to an unlicensed retailer."

9. Page 13, line 11 through page 14, line 10.
Strike: section 15 in its entirety
Renumber: subsequent sections

10. Page 14, line 17.
Strike: "Conditional"
Insert: "Termination -- conditional"

11. Page 14, line 20.
Following: "Montana"
Insert: "or July 1, 1993, whichever occurs first"

And, as amended, do pass. Report adopted.

HB 696, second reading copy, be amended as follows:

1. Title, lines 5 and 6.
Following: "YEARS;"
Strike: "INCREASING" on 5 through ";" on line 6

2. Title, lines 8 and 9.
Following: "SCIENCES;"
Strike: "AMENDING" on line 8 through "MCA;" on line 9

3. Page 1, line 15 through page 2, line 2.
Strike: section 1 in its entirety
Renumber: subsequent sections

4. Page 2, line 5.
Following: "sciences"
Strike: "$1,145,678"
Insert: "$687,407"

5. Page 2, line 14.
Strike: "1, 2, and 3(1)"
Insert: "1 and 2(1)"

6. Page 2, line 15.
Strike: "3(2)"
Insert: "2(2)"

And, as amended, do pass. Report adopted.

HB 704, introduced bill, be amended as follows:

1. Page 1, line 7.

Following: "PROGRAMS"
Insert: "AND DETECTION AND COLLECTION OF UNPAID CONTRIBUTIONS"

2. Page 1, line 12.
Following: "Appropriation."
Insert: "(1)"

3. Page 1, line 17.
Following: "1992"
Strike: "$120,000"
Insert: "$110,000"

4. Page 1, line 18.
Following: "1993"
Strike: "$120,000"
Insert: "$110,000"

5. Page 1
Following: line 18
Insert: "(2) Revenue in excess of the amount appropriated for apprenticeship instruction programs is appropriated for use by the department to detect and collect unpaid contributions and overpayments of benefits to the extent that federal grant revenues are inadequate for the department's collection efforts."

6. Page 2, line 16.
Following: "chapter"
Strike: "and"
Insert: ","

7. Page 2, line 19.
Following: "39-6-103"
Insert: ", and to detect and collect unpaid contributions and overpayments of benefits"

And, as amended, do pass. Report adopted.

HB 728, second reading copy, be amended as follows:

1. Title, line 12.
Following: "MANDATING"
Insert: "THAT A PLAN BE SUBMITTED TO THE 1993 LEGISLATURE FOR"

2. Title, line 14.
Strike: "AND" through "INSTRUCTION"

3. Page 5, line 12.
Following: "nutritionist."
Insert: "The appointment of the public health nutritionist may not be required unless funding for the position is available."

4. Page 5, line 22.

Following: "counties."
Strike: remainder of line 22, through page 6, line 1.
Insert: "The department shall provide the 1993 legislature with a plan to provide the services of the women, infants and children (WIC) food supplement program to counties that are currently not served by the program."

5. Page 6, line 2.
Following: "Appropriations."
Strike: Subsection (1) in its entirety
Renumber: subsequent subsections

6. Page 6, line 7.
Following: "from the"
Strike: "general"
Insert: "federal special revenue"

7. Page 6, line 8.
Following: "sciences"
Strike: "$115,075"
Insert: "$67,075"

8. Page 6, line 10.
Following: "1992,"
Strike: "to fund the expansion of the WIC program and"

And, as amended, do pass. Report adopted.

HB 760, second reading copy, do pass. Report adopted.
HB 777, introduced bill, be amended as follows:

1. Page 2, line 15.
Following: "conservation"
Strike: "$550,000"
Insert: "$400,000"

And, as amended, do pass. Report adopted.

HB 830, second reading copy, do pass. Report adopted.
HB 841, second reading copy, do pass. Report adopted.
HB 842, second reading copy, be amended as follows:

1. Page 2, line 3.
Following: "for the"
Strike: "project"
Insert: "facility"

And, as amended, do pass. Report adopted.

HB 876, second reading copy, be amended as follows:

1. Title, line 12.
Following: "EXCEED"

Strike: "185"
Insert: "133"

2. Title, line 14.
Following: "WOMEN;"
Insert: "TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES;"

3. Page 11, line 12.
Following: "exceed"
Strike: "185%"
Insert: "133%"

4. Page 11, line 20.
Following: line 19
Insert: "NEW SECTION. Section 6. Appropriation. There is appropriated to the department of health and environmental sciences $14,000 from the general fund for the biennium ending June 30, 1993, for the purpose of implementing [this act]."
Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 906, second reading copy, be amended as follows:

1. Title, line 8.
Following: "SYSTEM;"
Strike: "PROVIDING AN APPROPRIATION;"

2. Page 1, line 24.
Following: "service"
Strike: ","
Insert: "and"

3. Page 1, line 25.
Following: "industry"
Strike: ", and the state"

4. Page 2, line 2.
Following: "program."
Strike: "Accordingly, the legislature in [section 4] has appropriated $121,000 for the biennium and the"
Insert: "The"

5. Page 5, line 19.
Following: "the"
Strike: "state special revenue"
Insert: "current restricted"

6. Page 6, line 23.
Following: line 22
Strike: section 4 in its entirety
Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 934, second reading copy, be amended as follows:

1. Page 1, lines 7 and 8.
Following: "COMMISSION;"
Strike: "CREATING THE 21ST JUDICIAL DISTRICT; AMENDING SECTION 3-5-101, MCA;"

2. Page 1, line 8.
Following: "PROVIDING"
Insert: "AN"
Following: "EFFECTIVE"
Strike: "DATES"
Insert: "DATE"

3. Page 3, line 8.
Following: line 7
Strike: section 3 in its entirety
Renumber: subsequent sections

4. Page 4, lines 20 through 22.
Following: "Effective"
Strike: "dates. (1) [Sections 1, 2, and this section] are"
Insert: "date. [This act] is"
Strike: line 22 in its entirety

5. Page 4, line 23.
Following: line 22
Strike: section 5 in its entirety

And, as amended, do pass. Report adopted.

HB 964, introduced bill, be amended as follows:

1. Page 10, line 16.
Following: "environment."
Insert: "Prior to issuing a compliance order requiring cleanup of a pesticide, the department shall consult with the department of health and environmental sciences to ensure that the provisions of Title 75, chapter 10, part 4, are considered. If a pesticide or soil contaminated by a pesticide is subject to the provisions of Title 75, chapter 10, part 4, and there is no beneficial use of the soil as determined by the department, the department of health and environmental sciences is responsible for regulating the cleanup and disposal of the pesticide and the soil contaminated by the pesticide."

And, as amended, do pass. Report adopted.

HB 968, second reading copy, be amended as follows:

1. Title, line 19.

Strike: "PROVIDING FOR AN APPROPRIATION;"

2. Page 8, lines 9 through 14.
Strike: section 7 in its entirety
Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 977, introduced bill, do pass. Report adopted.
HB 990, introduced bill, be amended as follows:

1. Title,, lines 5 and 6.
Strike: "MILLION" on line 5 through "PERMANENT" on line 6
Insert: "FROM THE GENERAL"

2. Title, line 9.
Strike: "AMENDING SECTION 17-5-704, MCA;"

3. Page 1, lines 14 and 15.
Strike: "income" on line 14 through "permanent" on line 15
Insert: "general"

4. Page 1, line 15.
Following: "$1"
Strike: "million"

5. Page 1, line 19.
Following: "on"
Strike: "at least"
Following: "an"
Strike: "8.4-to-1"
Insert: "8-to-1"

6. Page 1, line 20.
Following: "appropriation"
Insert: "to add another tourism destination attraction in Montana"

7. Page 2, lines 1 and 2.
Following: "shall" on line 1
Strike: "use"
Insert: "distribute"
Following: "money" on line 1
Strike: remainder of line 1 through "funds" on line 2
Following: "planning,"
Insert: "design, and all phases of"

8. Page 2, lines 3 through 5.
Following: line 2
Strike: line 3 through "development" on line 5

9. Page 2, lines 7 through 20.
Strike: section 3 in its entirety
Renumber: subsequent section

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/23/91

HB 142, introduced by Swysgood
HB 176, introduced by T. Nelson
HB 697, introduced by McCaffree

House bills concurred in and returned to the House: 3/25/91

HB 65, introduced by Whalen
HB 117, introduced by J. Brown
HB 131, introduced by Brooke
HB 164, introduced by Cobb
HB 174, introduced by Grady
HB 263, introduced by Driscoll
HB 361, introduced by Harper
HB 382, introduced by Swysgood
HB 423, introduced by Kadas
HB 495, introduced by Harper
HB 535, introduced by Toole
HB 536, introduced by Bradley
HB 567, introduced by Fagg
HB 589, introduced by Peck
HB 606, introduced by O'Keefe
HB 615, introduced by Thoft
HB 724, introduced by Elliott
HB 726, introduced by Bergsagel
HB 732, introduced by Cohen
HB 742, introduced by Wanzenried
HB 745, introduced by Swysgood
HB 765, introduced by Russell
HB 791, introduced by Benedict
HB 798, introduced by Quilici
HB 813, introduced by O'Keefe
HB 817, introduced by R. Johnson
HB 831, introduced by J. Brown
HB 864, introduced by Gould
HB 881, introduced by R. Johnson
HB 897, introduced by Zook
HB 915, introduced by Cody
HB 962, introduced by Boharski
HJR 14, introduced by Connelly
HJR 21, introduced by Whalen
HJR 23, introduced by Lee
HJR 30, introduced by Cocchiarella

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/23/91

HB 59, introduced by Harrington

HB 150, introduced by Whalen
HB 268, introduced by Measure
HB 325, introduced by Simpkins
HB 328, introduced by Cobb
HB 465, introduced by Thomas
HB 470, introduced by McCarthy
HB 551, introduced by O'Keefe
HB 620, introduced by Squires
HB 703, introduced by Bradley
HB 715, introduced by Peck
HB 767, introduced by Measure

Governor's amendments concurred in and returned to the House: 3/25/91

HB 175, introduced by D. Brown

Senate bills passed and transmitted to the House for concurrence: 3/23/91

SB 62, introduced by Jacobson
SB 242, introduced by Crippen
SJR 26, introduced by Jacobson

Senate bill passed and transmitted to the House for concurrence: 3/25/91

SB 151, introduced by Eck

House amendments to Senate bills concurred in: 3/25/91

SB 1, introduced by Mazurek
SB 7, introduced by Mazurek
SB 136, introduced by T. Beck
SB 142, introduced by T. Beck
SB 156, introduced by Doherty
SB 157, introduced by Vaughn
SB 173, introduced by Blaylock
SB 188, introduced by Harding
SB 190, introduced by Weeding
SB 225, introduced by Gage
SB 239, introduced by Van Valkenburg
SB 250, introduced by Keating
SB 307, introduced by Franklin
SB 323, introduced by T. Beck
SB 381, introduced by Jacobson
SB 398, introduced by Towe
SB 402, introduced by Yellowtail

The Senate, on 3/23/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 782.

President Mazurek appointed the following members:

Senator Yellowtail, Chairman
Senator Franklin
Senator Devlin

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

March 25, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 149, 168, 182, 217, 227, 262, 266, 648, 682, 725, 756, 769 and 854 on March 25, 1991.

Sincerely,

STAN STEPHENS
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bills were introduced, read first time, and referred to committee:

SB 62, introduced by Jacobson (by request of the Postsecondary Education Study Committee), referred to Committee on Appropriations
SB 151, introduced by Eck, Jacobson, Waterman, Barnhart, referred to Committee on Taxation
SB 242, introduced by Crippen, D. Brown, Grinde, Thayer, Williams (by request of the Governor), referred to Committee on Appropriations
SJR 26, introduced by Jacobson, Thomas, Daily, Driscoll, Harp, Harper, T. Nelson, Messmore, referred to Committee on Human Services and Aging

MOTIONS

Representative Driscoll moved HB 676, HB 978, HB 980, HB 981 and HB 999 be taken from second reading and rereferred to the Committee on Appropriations. Motion carried.

Representative J. Rice moved he be allowed to change his vote on Representative Driscoll's amendment #7 to HB 2, Section B, second reading, from yes to no. Motion carried.

Representative Dolezal moved the rules be suspended to allow him to be recorded as voting no on Representative Driscoll's amendment #7 to HB 2, Section B, second reading. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Mr. Speaker introduced this week's pages:

Amy Baty, Missoula
Kerry Eby, Billings
Anders Hove, Missoula
Melodie King, Great Falls
Andrienna Logan, Huntley
Becky Quilici, Butte
Jessica Shoemaker, Libby
R. J. Yates, Red Lodge
Danton Wallin, Bozeman
Paul Lenmark, Helena, Minority Office Page

Representative Driscoll moved the House adjourn until 8:00 a.m., Tuesday, March 26, 1991. Motion carried.

House adjourned at 7:15 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

SIXTY-FIFTH LEGISLATIVE DAY

Helena, Montana
March 26, 1991

House Chambers
State Capitol

House convened at 8:15 a.m. Mr. Speaker in the Chair. Invocation by Representative Gilbert. Pledge of Allegiance to the Flag.

Roll call. All members present except Measure, Russell, Steppler, Swysgood, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the sixtieth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Bardanouve, Chairman): 3/26/91
HB 1010, introduced bill, do pass. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 418 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Barnett, Bergsagel, Feland, Gilbert, Hayne, Knox, Peterson, Simpkins, Steppler, Wallin.
Total 10

Voted Absentee: Steppler, No.

Excused: Measure, Russell, Swysgood.
Total 3

Absent or not voting: Phillips.
Total 1

HB 982 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Galvin, Gervais, S. J. Hansen, Harrington, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 51

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Stickney, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 49

Voted Absentee: Measure, Russell, Ayes; Steppler, Swysgood, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 987 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Darko, Davis, Dolezal, Dowell, Elliott, Ellis, Fagg, Forrester, Galvin, Gervais, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Madison, McCaffree, McCarthy, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Simpkins, Southworth, Squires, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 63

Noes: Bachini, Barnett, Bergsagel, Boharski, D. Brown, Clark, Cobb, Cody, Daily, J. DeBruycker, R. DeBruycker, Driscoll, Ellison, Feland, Foster, Gilbert, Grady, Grinde, Hayne, Hoffman, R. Johnson, Kasten, Larson, Lee, McCulloch, L. Nelson, Pavlovich, Peterson, Phillips, Scott, Spring, Stang, Steppler, Whalen.
Total 34

Voted Absentee: Steppler, No.

Excused: Measure, Russell, Swysgood.
Total 3

Absent or not voting: None.
Total 0

HB 988 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Darko, Davis, Dolezal, Dowell, Ellis, Fagg, Forrester, Galvin, Gervais, Gould, H. S. Hanson, Harrington, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Madison, McCaffree, McCarthy, Menahan, Mercer, Messmore, Nisbet, Raney, Ream, S. Rice, Simpkins, Southworth, Squires, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 54

Noes: Bachini, Barnett, Bergsagel, Boharski, D. Brown, Clark, Cobb, Cody, Daily, J. DeBruycker, R. DeBruycker, Driscoll, Elliott, Ellison, Foster, Gilbert, Grady, Grinde, Hayne, Hoffman, R. Johnson, Kasten, Larson, Lee, McCulloch, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, J. Rice, Schye, Scott, Spring, Stang, Steppler, Whalen.
Total 40

Voted Absentee: Steppler, No.

Excused: Measure, Russell, Swysgood.
Total 3

Absent or not voting: Feland, S. J. Hansen, M. Hanson.
Total 3

HB 989 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Darko, Davis, Dolezal, Dowell, Ellis, Fagg, Forrester, Galvin, Gervais, Gould, S. J. Hansen, H. S. Hanson, Harrington, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Madison, McCaffree, McCarthy, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Raney, Ream, J. Rice, S. Rice, Simpkins, Southworth, Squires, Stickney, Strizich, Thoft, Toole, Tunby, Wallin, Wyatt, Zook, Mr. Speaker.
Total 55

Noes: Bachini, Barnett, Bergsagel, Boharski, D. Brown, Clark, Cobb, Cody, Daily, J. DeBruycker, R. DeBruycker, Driscoll, Elliott, Ellison, Feland, Foster, Gilbert, Grady, Grinde, Hayne, Hoffman, R. Johnson, Kasten, Larson, Lee, McCulloch, L. Nelson, T. Nelson, Pavlovich, Peck, Peterson, Phillips, Quilici, Schye, Scott, Spring, Stang, Steppler, Thomas, Wanzenried, Whalen.
Total 41

Voted Absentee: Steppler, No.

Excused: Measure, Russell, Swysgood.
Total 3

Absent or not voting: M. Hanson.
Total 1

HJR 45 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Bergsagel, R. DeBruycker, Feland, Gilbert, L. Nelson, T. Nelson, Peterson, Spring, Steppler, Wanzenried.
Total 10

Voted Absentee: Steppler, No.

Excused: Measure, Russell, Swysgood.
Total 3

Absent or not voting: Boharski, Ellis, Tunby.
Total 3

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Gilbert in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Kimberley continued his explanation of Section C of HB 2.

Representative Cobb moved HB 2, Section C, second reading copy, be amended as follows (amendment #1):

1. Page C-2, line 12.
Strike: "137,000 137,000"
Insert: "237,000 237,000"

LFA will amend totals.

Amendment #1 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Becker, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, R. DeBruycker, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stickney, Swysgood, Thoft, Toole, Tunby, Wallin, Wyatt, Zook, Mr. Speaker.
Total 74

Noes: Beck, Benedict, Bergsagel, Boharski, Brooke, Cohen, Cromley, J. DeBruycker, Dolezal, Dowell, Gervais, S. J. Hansen, Lee, McCaffree, Measure, Southworth, Stang, Strizich, Wanzenried.
Total 19

Excused: Bachini, Peck, Steppler.
Total 3

Absent or not voting: Bradley, Hayne, Thomas, Whalen.
Total 4

Representative Gould moved HB 2, Section C, second reading copy, be further amended as follows (amendment #2):

1. Page C-3, lines 22 and 23.
Strike: lines 22 and 23 in their entirety

LFA will adjust totals.

Amendment #2 passed as follows:

Ayes: Bardanouve, Beck, Benedict, Bergsagel, Boharski, D. Brown, J. Brown, Clark, Cobb, Cody, Cromley, Daily, R. DeBruycker, Dowell, Elliott, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grinde, H. S. Hanson, Kasten, Kilpatrick, Knox, Larson, Lee, McCaffree, Measure, Mercer, Messmore, T. Nelson, Pavlovich, Phillips, Raney, J. Rice, Simpkins, Spring, Stang, Thoft, Thomas, Tunby, Wanzenried, Wyatt, Zook.
Total 46

Noes: Barnett, Barnhart, Becker, Brooke, Cocchiarella, Cohen, Connelly, Darko, Davis, J. DeBruycker, Dolezal, Driscoll, Galvin, Gervais, Grady, S. J. Hansen, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Keller, Kimberley, Madison, McCarthy, McCulloch, Menahan, L. Nelson, Nisbet, O'Keefe, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Swysgood, Toole, Wallin, Mr. Speaker.
Total 42

Excused: Bachini, Peck, Steppler.
Total 3

Absent or not voting: Bradley, Ellis, Ellison, Hayne, Hoffman, Peterson, Quilici, Strizich, Whalen.
Total 9

Representative Cody moved HB 2, Section C, second reading copy, be further amended (amendment #3). Amendment #3 failed as follows: (25-70)

Representative Kadas moved HB 2, Section C, second reading copy, be further amended (amendment #4).

Representative D. Brown made a substitute motion to indefinitely postpone the motion of Representative Kadas. Motion carried as follows:

Ayes: Barnett, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, Clark, Cobb, Cody, Daily, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Lee, Madison, McCaffree, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, J. Rice, Schye, Scott, Simpkins, Spring, Steppler, Stickney, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 59

Noes: Bardanouve, Barnhart, Beck, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Galvin, Gervais, S. J. Hansen, Kadas, Kilpatrick, Kimberley, Larson, McCulloch, Measure, Quilici, Raney, Ream, Russell, Southworth, Squires, Stang, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 38

Voted Absentee: Bradley, Aye.

Excused: Bachini, Peck.
Total 2

Absent or not voting: S. Rice.
Total 1

Representative Raney moved HB 2, Section C, second reading copy, be further amended (amendment #5). Amendment #5 failed as follows: (33-63)

Representative Brooke moved HB 2, Section C, second reading copy, be further amended as follows (amendment #6):

1. Page C-11, line 4.
Strike: lines 4 and 5 in their entirety

LFA will amend totals.

Amendment #6 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella,

Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Voted Absentee: Connelly, Strizich, Ayes.

Excused: Bachini, Stickney.
Total 2

Absent or not voting: Kadas, Peck.
Total 2

Representative Scott moved HB 2, Section C, second reading copy, be further amended (amendment #7). Amendment #7 failed as follows: (39-58)

Representative Grinde in the Chair at this time.

Representative Quilici moved HB 2, Section C, second reading copy, be further amended as follows (amendment #8):

1. Page C-15.
Following: line 12
Insert: "In spending eligible federal energy funds appropriated in item 6, the department shall give priority to developing a self-sustaining program for retrofitting school buildings with energy conservation measures that is similar to the state building energy conservation program established by Title 90, chapter 4, part 6, for state buildings. The department shall submit to the 53rd legislature proposed legislation necessary to implement the school building energy conservation program."

Amendment #8 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore,

L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Bachini, Connelly, Russell, Stickney, Strizich.
Total 5

Absent or not voting: Ellison, S. Rice.
Total 2

Representative Wanzenried moved HB 2, Section C, second reading copy, be further amended as follows (amendment #9):

1. Page C-21, line 18.
Strike: "50,585" (Fiscal 1993, Proprietary)
Insert: "96,000"

LFA will amend totals.

Amendment #9 passed as follows:

Ayes: Bardanouve, Barnhart, Becker, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Schye, Scott, Southworth, Spring, Squires, Steppler, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 74

Noes: Barnett, Benedict, Brooke, Cobb, R. DeBruycker, Feland, Gould, Grady, H. S. Hanson, Hoffman, Kadas, Kasten, Lee, S. Rice, Simpkins, Stang, Swysgood, Thoft, Thomas, Zook.
Total 20

Voted Absentee: Connelly, Strizich, Ayes.

Excused: Bachini, Russell, Stickney.
Total 3

Absent or not voting: Beck, J. DeBruycker, Keller.
Total 3

Representative Boharski moved HB 2, Section C, second reading copy, be further amended (amendment #10).

Representative D. Brown made a substitute motion to indefinitely postpone the motion of Representative Boharski. Motion carried as follows:

Ayes: Becker, Bergsagel, Bradley, D. Brown, Cocchiarella, Cody, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Feland, Foster, Galvin, Gilbert, Gould, Grady, H. S. Hanson, Harrington, Hayne, J. Johnson, Kasten, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Menahan, L. Nelson, Nisbet, Pavlovich, Peterson, Quilici, Raney, Ream, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Strizich, Swysgood, Thoft, Wanzenried, Mr. Speaker.
Total 53

Noes: Barnett, Barnhart, Beck, Benedict, Boharski, Brooke, J. Brown, Clark, Cobb, Cohen, Connelly, R. DeBruycker, Ellison, Fagg, Forrester, Gervais, Grinde, S. J. Hansen, M. Hanson, Hoffman, R. Johnson, Keller, Knox, Lee, McCaffree, Measure, Mercer, Messmore, T. Nelson, O'Keefe, Peck, Phillips, J. Rice, S. Rice, Russell, Schye, Stickney, Thomas, Toole, Tunby, Wallin, Zook.
Total 42

Voted Absentee: Strizich, Aye; Connelly, O'Keefe, Noes.

Excused: Bachini.
Total 1

Absent or not voting: Bardanouve, Kadas, Whalen, Wyatt.
Total 4

Debate on Section C of HB 2 closed at this time.

Representative Gilbert resumed the Chair at this time.

Representative Menahan explained Section D of HB 2.

Representative Menahan moved HB 2, Section D, second reading copy, be amended as follows (amendment #1):

1. Page D-4, line 25.
Strike: "21,310,062 21,444,540"
Insert: "21,344,255 21,478,794"

2. Page D-6, line 9.
Strike: "29,232,926 29,477,892"
Insert: "29,522,439 29,767,753"

3. Page D-7, line 6.
Strike: "13,656,901 12,662,576"
Insert: "13,697,614 12,703,338"

4. Page D-7, line 12.
Strike: "761,479 753,954"
Insert: "812,509 805,045"

LFA will amend totals.

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 66

Noes: Benedict, Bergsagel, Clark, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Foster, Gilbert, Grinde, Kasten, Knox, McCaffree, Mercer, T. Nelson, Peterson, Phillips, Simpkins, Stang, Swysgood, Thoft, Zook.
Total 23

Voted Absentee: Measure, Aye.

Excused: None.
Total 0

Absent or not voting: Boharski, Cobb, Connelly, Feland, Grady, Hayne, Hoffman, R. Johnson, Lee, S. Rice, Thomas.
Total 11

Representative Cody moved HB 2, Section D, second reading copy, be further amended as follows (amendment #2):

1. Page D-6, line 9.
Strike: "29,232,926 29,477,892"
Insert: "29,528,926 29,773,892"

LFA will amend totals.

Amendment #2 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Galvin, Gervais, Grady, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Raney, Ream, J. Rice, Russell, Schye, Scott, Southworth, Squires, Steppler, Stickney, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 53

Noes: Bachini, Barnett, Becker, Benedict, Bergsagel, Boharski, Clark, Cobb, Cohen, Cromley, J. DeBruycker, R. DeBruycker, Elliott, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hoffman,

R. Johnson, Kasten, Keller, Knox, Lee, Mercer, T. Nelson, Peck, Peterson, Phillips, Simpkins, Spring, Stang, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 41

Voted Absentee: Measure, Aye.

Excused: None.
Total 0

Absent or not voting: Ellis, Forrester, Hayne, Quilici, S. Rice, Strizich.
Total 6

Representative Bradley moved HB 2, Section D, second reading copy, be further amended (amendment #3). Amendment #3 failed as follows: (47-49)

Representative Cody moved HB 2, Section D, second reading copy, be further amended (amendment #4). Amendment #4 failed as follows: (44-55)

Representative Cocchiarella moved HB 2, Section D, second reading copy, be further amended as follows (amendment #5):

1. Page D-8, line 23.
Following: line 22
Insert: "The department shall continue to provide acute hospital care, intermediate nursing care, and chemical dependency services at the Montana state hospital at Warm Springs and Galen without significant changes in the program at either campus."

Amendment #5 passed as follows:

Ayes: Bachini, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gilbert, S. J. Hansen, Harrington, Hoffman, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Toole, Wyatt, Mr. Speaker.
Total 54

Noes: Bardanouve, Barnett, Barnhart, Benedict, Bergsagel, Boharski, Clark, Cobb, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Peterson, Phillips, J. Rice, Simpkins, Spring, Thoft, Thomas, Tunby, Wallin, Wanzenried, Zook.
Total 44

Voted Absentee: Measure, Aye.

Excused: None.
Total 0

Absent or not voting: Kadas, Whalen.
Total 2

Representative Bardanouve moved HB 2, Section D, second reading copy, be further amended (amendment #6). Amendment #6 failed as follows: (44-53)

Representative Bradley moved the House reconsider its action on amendment #3 to HB 2, Section D, taken on second reading. Motion failed as follows: (45-52)

Debate on Section D of HB 2 closed at this time.

Representative Gilbert moved the House recess until 2:15 p.m. Motion carried.

House recessed at 12:55 p.m.

House reconvened at 2:20 p.m. Representative Gilbert in the Chair.

Representative Peck explained Section E of HB 2.

Representative Peck moved HB 2, Section E, second reading copy, be amended as follows (amendment #1):

1. Page E-1, lines 25 and page E-2, line 1.
Strike: line 25 on page E-1 through line 1 on page E-2 in their entirety
Renumber: subsequent line items.

LFA will adjust totals.

2. Page E-4, line 22.
Following: line 21
Strike: line 22 in its entirety

3. Page E-4, line 23.
Following: "Item"
Strike: "1i"
Insert: "1h"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stickney, Strizich,

Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: None.
Total 0

Voted Absentee: Lee, Aye.

Excused: Feland, S. J. Hansen, Hayne, Ream, J. Rice, Thomas.
Total 6

Absent or not voting: Cohen, Elliott, McCulloch, Measure, Stang, Steppler.
Total 6

Representative Quilici moved HB 2, Section E, second reading copy, be further amended as follows (amendment #2):

1. Page E-13, line 1.

Strike: "4,601,705	4,606,865"
Insert: "5,047,097	5,052,257"

LFA will amend totals.

Amendment #2 passed as follows:

Ayes: Barnhart, Beck, Becker, Bradley, D. Brown, J. Brown, Cocchiarella, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, Harrington, Hoffman, J. Johnson, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Menahan, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Ream, S. Rice, Russell, Schye, Scott, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Toole, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 52

Noes: Bachini, Bardanouve, Barnett, Benedict, Bergsagel, Boharski, Brooke, Clark, Cobb, Cody, Cohen, Cromley, J. DeBruycker, Elliott, Ellison, Fagg, Foster, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, R. Johnson, Kadas, Kasten, Keller, Knox, Lee, McCaffree, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Peterson, Raney, Simpkins, Southworth, Spring, Steppler, Tunby, Wallin.
Total 42

Voted Absentee: D. Brown, Davis, Driscoll, Galvin, Ream, Ayes; Lee, No.

Excused: Feland, Hayne, J. Rice, Thomas.
Total 4

Absent or not voting: Connelly, Ellis.
Total 2

Representative Peck moved HB 2, Section E, second reading copy, be further amended as follows (amendment #3):

1. Page E-17, lines 5 through 8.
Strike: lines 5 through 8 in their entirety
Insert: "It is understood by the 52nd legislature that the appropriations contained in [this act] for the six university units may result in the board of regents electing to limit or reduce enrollment during fiscal 1992 and fiscal 1993. It is the intent of the 52nd legislature that if actual enrollments during the 1993 biennium are fewer than the budgeted number of student full-time equivalents for the 1993 biennium, systemwide or by unit, the legislative fiscal analyst shall present to the 53rd legislature a current level budget for the six units, systemwide and by unit, no lower than the budgeted amount for the 1993 biennium.

It is further understood by the 52nd legislature that shortfalls in student tuition due to enrollment declines may be presented to the 53rd legislature for a supplemental appropriation. These tuition shortfalls are not expected to be made up by per-student full-time equivalent tuition increases."

Amendment #3 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Darko, J. DeBruycker, R. DeBruycker, Dowell, Ellis, Ellison, Fagg, Foster, Galvin, Gervais, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kimberley, Knox, Larson, McCulloch, Measure, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Raney, Ream, S. Rice, Russell, Simpkins, Southworth, Spring, Stickney, Strizich, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 67

Noes: Bachini, Beck, D. Brown, Daily, Dolezal, Forrester, Grinde, S. J. Hansen, Harrington, Kilpatrick, Madison, McCaffree, McCarthy, Menahan, L. Nelson, Pavlovich, Quilici, Schye, Scott, Squires, Stang, Steppler, Swysgood.
Total 23

Voted Absentee: Galvin, Ream, Ayes; D. Brown, No.

Excused: Davis, Driscoll, Feland, Hayne, Lee, J. Rice, Thomas.
Total 7

Absent or not voting: Connelly, Elliott, Wyatt.
Total 3

Representative Harper moved HB 2, Section E, second reading copy, be further amended as follows (amendment #4):

1. Page E-3, line 15.
Strike: "100,000 100,000"
Insert: "500,000 500,000"

LFA will amend totals

Amendment #4 passed as follows:

Ayes: Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 57

Noes: Bachini, Bardanouve, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cromley, R. DeBruycker, Ellis, Ellison, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hoffman, R. Johnson, Kadas, Kasten, Keller, Knox, Lee, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, Simpkins, Steppler, Swysgood, Thoft, Tunby, Wallin, Zook.
Total 39

Voted Absentee: D. Brown, Davis, Driscoll, Galvin, Ream, Ayes; Lee, No.

Excused: Feland, Hayne, J. Rice, Thomas.
Total 4

Absent or not voting: None.
Total 0

Representative Kadas moved HB 2, Section E, second reading copy, be further amended as follows (amendment #5):

1. Page E-8, lines 5 and 6
Strike: lines 5, 6, and 11 in their entirety

LFA will amend totals

Amendment #5 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Ellis, Ellison, Fagg, Forrester, Foster, Gervais, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: None.
Total 0

Excused: D. Brown, Davis, Driscoll, Feland, Galvin, Hayne, Lee, Ream, J. Rice, Thomas.
Total 10

Absent or not voting: Elliott, Gould, S. J. Hansen, L. Nelson.
Total 4

Representative Grinde moved HB 2, Section E, second reading copy, be further amended (amendment #6). Amendment #6 failed as follows: (43-55)

Representative Swysgood in the Chair at this time.

Representative Bradley moved HB 2, Section E, second reading copy, be further amended (amendment #7). Amendment #7 failed as follows: (41-50)

Representative McCarthy moved HB 2, Section E, second reading copy, be further amended (amendment #8). Amendment #8 failed as follows: (40-53)

Representative Wanzenried moved HB 2, Section E, second reading copy, be further amended (amendment #9). Amendment #9 failed as follows: (38-52)

Debate on Section E of HB 2 closed at this time.

Representative Harper moved HB 2, Boiler plate, second reading copy, be amended as follows (amendment #1):

1. Page BP-1, following line 20.
Insert: "NEW SECTION. Section 3. First level expenditures. The agency and program appropriation tables in the legislative fiscal analyst narrative accompanying this bill, showing first level expenditures and funding for the 1993 biennium, are adopted as legislative intent."
Renumber: subsequent sections

Amendment #1 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: None.
Total 0

Voted Absentee: D. Brown, Aye.

Excused: Bachini, Feland, Galvin, Hayne, Lee, Squires.
Total 6

Absent or not voting: Elliott, McCaffree, Strizich.
Total 3

Representative Cobb moved HB 2, Boiler plate, second reading copy, be further amended as follows (amendment #2):

1. Page BP-2, following line 11.
Insert: "NEW SECTION. Section 9. Account analysis. All agencies shall reexamine their proprietary accounts and designated subfunds and report to the legislative auditor's office after fiscal year 1992 the specific plans for spending the accounts, the monthly or daily account balances, and whether the accounts have adequate amounts of revenue and fund balances and the plans to reduce or add monies to the accounts."
Renumber: subsequent sections

Amendment #2 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Ellison, Measure.
Total 2

Excused: Bachini, D. Brown, Feland, Galvin, Hayne, Lee, Squires.
Total 7

Absent or not voting: Driscoll, Peterson, Thoft.
Total 3

Representative Kadas moved HB 2, Boiler plate, second reading copy, be further amended as follows (amendment #3):

1. Page BP-1, line 11.
Strike: "(1)"
Page BP-1, lines 12 through 20.

Following: "category"
Strike: the remainder of line 12 through line 20 in its entirety
Insert: "."

Amendment #3 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 58

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cody, Cromley, R. DeBruycker, Ellis, Ellison, Fagg, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hoffman, R. Johnson, Kasten, Keller, Knox, Measure, Mercer, Messmore, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 39

Voted Absentee: Bachini, Galvin, Squires, Ayes.

Excused: Feland, Hayne, Lee.
Total 3

Absent or not voting: None.
Total 0

Representative Gilbert resumed the Chair at this time.

Representative Bardanouve moved HB 2, as amended, do pass. Motion failed as follows:

Ayes: Bardanouve, Barnhart, Beck, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, Driscoll, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Larson, Madison, McCaffree, McCarthy, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Scott, Southworth, Squires, Stickney, Toole, Wyatt, Mr. Speaker.
Total 43

Noes: Bachini, Barnett, Becker, Benedict, Bergsagel, Boharski, Clark, Cobb, Cohen, Cromley, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kimberley, Knox, Lee, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, J. Rice, S. Rice, Simpkins, Spring, Stang, Steppler, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Zook.
Total 57

Voted Absentee: D. Brown, Aye; Bachini, Feland, Hayne, Lee, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Driscoll moved the House reconsider its action on HB 2 taken on second reading. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Mr. Speaker.
Total 72

Noes: Barnett, Bergsagel, Boharski, Cobb, Cohen, J. DeBruycker, R. DeBruycker, Ellis, M. Hanson, R. Johnson, Kasten, Keller, Kimberley, Knox, Lee, T. Nelson, Phillips, Simpkins, Stang, Swysgood, Thoft, Whalen, Wyatt, Zook.
Total 24

Excused: Bachini, Feland, Hayne.
Total 3

Absent or not voting: Measure.
Total 1

Representative Bardanouve moved HB 2, as amended, do pass. Motion carried as follows:

Ayes: Bardanouve, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gilbert, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Toole, Wanzenried, Wyatt, Mr. Speaker.
Total 51

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cohen, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kimberley, Knox, Lee, Measure, Mercer,

Messmore, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Simpkins, Spring, Stang, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Whalen, Zook.
Total 48

Voted Absentee: Bachini, Feland, Hayne, Noes.

Excused: None.
Total 0

Absent or not voting: Barnhart.
Total 1

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Gilbert moved the adoption of the committee report. Report adopted. (54-41)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/26/91
Correctly printed: HB 179, HB 300, HB 365, HB 454, HB 497, HB 508, HB 520, HB 524, HB 569, HB 645, HB 684, HB 692, HB 696, HB 704, HB 728, HB 760, HB 777, HB 830, HB 841, HB 842, HB 876, HB 906, HB 934, HB 964, HB 968, HB 990, HB 1010.
Correctly enrolled: HB 111, HB 161, HB 203, HB 290, HB 311, HB 356, HB 471, HB 504, HB 588, HB 712, HB 771, HB 829, HB 938.
Examined by the sponsor and found to be correct:
HB 111 - Cody
HB 161 - Gilbert
HB 203 - S. Rice
HB 290 - Benedict
HB 311 - Hoffman
HB 356 - G. Beck
HB 471 - R. Johnson
HB 504 - Driscoll
HB 588 - Davis
HB 712 - Squires
HB 771 - Foster
HB 829 - Phillips
HB 938 - R. Johnson
HJR 16 - Gervais
Signed by the Speaker at 6:15 p.m., 3/25/91: HB 146, HB 191, HB 410, HB 758, HB 819, HB 840.
Delivered to the Governor for his approval at 4:13 p.m., 3/26/91: HB 146, HB 191, HB 410, HB 758, HB 819, HB 840.
Delivered to the Secretary of State at 4:59 p.m., 3/26/91: HJR 11, HJR 29

JUDICIARY (Strizich, Chairman): 3/26/91
SB 51, third reading copy, be amended as follows:

1. Page 10, line 18.
Following: "before"
Insert: "the first witness is sworn at the time of"

2. Page 25, line 7.
Following: "state"
Insert: ", except that a warrant for violation of a city ordinance may not be acted upon unless the person is located within the limits of the city in which the violation is alleged to have occurred"

3. Page 49, line 22.
Following: "counsel"
Insert: "or that has jurisdiction over the case"

4. Page 52, line 4.
Strike: "not in contumacious default in the payment"
Following: "~~thereof~~"
Strike: "of"
Insert: "able to but refuses or fails to pay"

5. Page 67, line 11.
Strike: "$500"
Insert: "$1,000"

6. Page 77, line 23.
Following: "issue"
Insert: "a summons or"

7. Page 99, line 15.
Strike: "verdict is returned"
Insert: "judgment as to guilt or innocence is reached"

8. Page 103.
Following: line 11
Insert: "(6) An affidavit filed in support of a motion for leave to file a charge or warrant must be sealed unless the judge determines that disclosure of the information in the affidavit is required to protect the health, safety, or welfare of the public."

9. Page 120, lines 9 through 12.
Strike: ", together" on line 9 through "comparisons" on line 12

10. Page 126, line 12.
Following: "district"
Insert: "or municipal"

11. Page 126, line 21.
Following: "~~evidence~~"
Insert: "and any information directly or indirectly derived from such testimony or evidence"

12. Page 127, line 10.
Strike: "felony"
Insert: "district or municipal court"

13. Page 135, line 10.
Strike: "must"

Insert: "may"

14. Page 223.
Following: line 18
Insert: "NEW SECTION. Section 265. Coordination instruction. (1) If House Bill No. 618 is passed and approved and if it includes a section that amends 46-17-311, then that section of House Bill No. 618 is void.

(2) If Senate Bill No. 331 is passed and approved and if it repeals 46-4-102 and 46-4-204, then the sections of [this act] that amend 46-4-102 and 46-4-204 are void.

(3) If Senate Bill No. 331 is passed and approved and if it includes a section that amends 46-4-101, then the section of [this act] that amends 46-4-101 is void.

(4) If Senate Bill No. 331 is passed and approved and if it includes a section that amends 46-4-103, then the section of [this act] that amends 46-4-103 is void."

And, as amended, be concurred in. Report adopted.

SB 331, third reading copy, be amended as follows:

1. Page 14, line 10.
Strike: "from the use of a firearm"
Insert: "is caused"

2. Page 15, line 10.
Following: "selected"
Insert: "at random"
Following: "list"
Insert: "of eligible jurors"

3. Page 15, line 22.
Following: "form."
Insert: "The jury may view the body, and the county attorney may require the jury to view the body. The jury shall review the death scene and may do so by videotape, photographs, or slide transparencies."

4. Page 15, lines 24 and 25.
Strike: "BY VIDEOTAPE, PHOTOGRAPHS, OR SLIDE TRANSPARENCIES"

5. Page 17.
Following: line 7
Insert: "NEW SECTION. Section 20. Coordination instruction. (1) If Senate Bill No. 51 is passed and approved and if it includes a section that amends 46-4-201, then that section of Senate Bill No. 51 is void.

(2) If Senate Bill No. 51 is passed and approved and if it includes a section that amends 46-4-202, then that section of Senate Bill No. 51 is void.

(3) If Senate Bill No. 51 is passed and approved and if it includes a section that amends 46-4-205, then that section of Senate Bill No. 51 is void.

(4) If Senate Bill No. 51 is passed and approved and if it includes a section that amends 46-4-206, then that section of Senate Bill No. 51 is void."

Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House: 3/26/91

HB 729, introduced by Russell

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/25/91

HB 309, introduced by D. Brown
HB 419, introduced by Mercer
HB 472, introduced by J. DeBruycker
HB 618, introduced by Bergsagel
HB 672, introduced by Fagg
HB 698, introduced by Scott

House bill indefinitely postponed and returned to the House: 3/23/91

HB 241, introduced by Whalen

House bill not concurred in and returned to the House: 3/23/91

HB 351, introduced by Cohen

Senate bills passed and transmitted to the House for concurrence: 3/26/91

SB 384, introduced by Lynch
SB 412, introduced by Crippen

Governor's amendments concurred in and transmitted to the House for concurrence: 3/25/91

SB 10, introduced by Bengtson
SB 56, introduced by Yellowtail
SB 59, introduced by Yellowtail
SB 148, introduced by Svrcek

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper March 26, 1991
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Harper:

Please be informed that I have signed House Bills 83, 87, 90, 99, 109, 123, 137, 167, 197, 211, 269, 270, 274, 275, 297, 313, 348, 425, 445, 481, 521, 529, 555 and 622 on March 26, 1991.

Sincerely,

STAN STEPHENS
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bills were introduced, read first time, and referred to committee:

SB 384, introduced by Lynch, Harrington, Jacobson, Stimatz, Pipinich, B. Brown, Harp, Van Valkenburg, Svrcek, Jergeson, Mazurek, Doherty, Kennedy, Manning, Williams, Bianchi, Franklin, Yellowtail, Noble, T. Beck, Daily, Pavlovich, Quilici, Hockett, Fritz, D. Brown, Halligan, referred to Committee on Taxation
SB 412, introduced by Crippen, Driscoll, Blaylock, Rye, Bengtson, Hager, Keating, Burnett, Bruski, Weeding, Devlin, Tveit, Yellowtail, T. Nelson, Nathe, H.S. Hanson, M. Hanson, Towe, Zook, Scott, Gilbert, Ellis, Keller, Fagg, Becker, Forrester, Southworth, McCulloch, R. Johnson, L. Nelson, Kimberley, Whalen, Russell, Kilpatrick, Peck, McCaffree (by request of the Department of Revenue), referred to Committee on Taxation

MOTIONS

Representative Driscoll moved the House dissolve the conference committee on HB 782 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on HB 782. Motion carried.

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the free conference committee on HB 782:

Representative Hansen, Chairman
Representative Kilpatrick
Representative Grady

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HB 906: Harper, Gilbert, Driscoll, J. Johnson, Kadas, Grady, T. Beck, Steppler, Halligan, Benedict, Wanzenried, Williams, Foster, Grosfield, Peterson, Larson, Weeding, Knox, Dowell, Raney, Kennedy, Measure, Ream, Swift.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:00 p.m., Wednesday, March 27, 1991. Motion carried.

House adjourned at 6:50 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

SIXTY-SIXTH LEGISLATIVE DAY

Helena, Montana
March 27, 1991

House Chambers
State Capitol

House convened at 1:15 p.m. Mr. Speaker in the Chair. Invocation by Representative J. Brown. Pledge of Allegiance to the Flag.

Roll call. All members present except J. Rice, excused. Quorum present.

SPECIAL ORDERS OF THE DAY

Mr. Speaker appointed a committee consisting of Representatives Spring, Daily, Hayne and Wyatt to escort U. S. Senator Conrad Burns into the House chamber.

Senator Burns was introduced by Mr. Speaker and presented the following address:

Montana Legislature
March 27, 1991
Senator Conrad Burns

It is good to be back home in Montana and see many friends here in the Montana Legislature. Earlier this month, I visited the Persian Gulf region and had a chance to talk with a number of Montana troops. The men and women who will be coming home are proud of what they have accomplished. They appreciate the support this country gave them.

So what kind of men and women are we going to be welcoming home to Montana from the Gulf? They're going to be motivated. They're dedicated to America. They're going to expect America to work as they have worked. They're not going to expect a handout because they are entrepreneurial. They plan on doing things for themselves. They expect government to work.

They're going to make it a little bit tougher on those of us in public office, because they're going to expect us to work as they do. We'll have to answer tough questions like, "Why can't the federal government balance a budget?"

We must and can balance the federal budget. In a recent Washington Post/ABC poll 81 percent of Americans polls cited the federal deficit as the number one domestic problem. The federal government should be required to balance its budget, just like you are required to balance Montana's budget.

Another problem we have to solve is America's dependence on foreign oil. America doesn't have to be so dependent upon OPEC. The United States has great energy reserves. In fact, Montana is the Saudi Arabia of coal. Montana has 53 percent of all the subbituminous coal in this country. Montana agriculture has surplus feedgrains and wheat that can be converted into ethanol. We have huge reserves of natural gas. With a combination of conservation, methanol from coal, ethanol from biomass, and compressed natural gas we can become energy independent.

I just introduced in the Senate legislation to make this nation energy independent. As a member of the Senate Energy and Natural Resources Committee, I will be working to develop a national energy strategy that will

reach that goal. I'd appreciate your help. Working together at the federal and state level, we can insure that Montana will play a key role in this nation's energy independence. Both Montana and the nation will benefit.

One of the toughest issues in Montana is wilderness. I believe Montanans want this issue resolved. I would like to see a statewide bill, but I'm willing to work on Senator Baucus's Two-Forest Bill. But we need a hearing on the bill in Montana -- because a lot of people were left out of the process of drafting the Two-Forest Bill. That has to be corrected.

If we get a hearing, and the delegation will address in good faith the concerns of those who were left out of the process, maybe we can find a reasonable compromise.

Our public lands are important to us in many ways, and one of them is tourism. I'm fortunate to serve on the Tourism Subcommittee of the Commerce Committee.

Because travel and tourism is the second largest and fastest growing segment of Montana's industries, accounting for $1.7 billion in economic activity in 1990, I've introduced legislation to promote tourism for rural states like Montana. I've also introduced legislation to amend the Highway Bill to commit more of this nation's highway resources to an infrastructure that supports tourism on and around federal lands. That will help states like Montana.

We all know how important highways are to a state like Montana, and I'm going to work my hardest to see that the current federal cost share formula continues. As a state off the beaten track, we know that highways are an important link to the rest of the country. Think of what Montana would be without highways, railroads, airlines, telephones and television.

In the twenty-first century, one of the most important links that rural states can have to the rest of the world will be a modern fiber optics network to every farm, home, school, clinic and business. As a member of the Senate Commerce, Science and Transportation Committee, I'm working to bring that kind of electronic superhighway to Montana and other rural states. If we don't get it, we'll be left behind.

Think of a fiber optic network as an information highway on which millions of cars or bits of information travel each second. The possibilities are limited only by the human mind. Technology currently exists to communicate around the world both visually and verbally. The term "reach out and touch someone", will take on new meaning.

What are some of the possibilities of a fiber optic network in Montana?

* Our shortage of doctors and health care professionals in rural areas could be overcome by hooking up hospitals in Billings, Great Falls and Missoula with smaller towns. Preliminary examinations could be carried out without patients having to travel hundreds of miles each way.

Just a quick aside while we're talking about better health care. I'd like to give credit to my colleague, Senator Max Baucus, for the work he has done in helping maintain the quality of rural health care. He has worked hard and well to ease some of the problems we have in providing adequate health care in our rural areas.

But more needs to be done, and one of the keys to improving rural health care is a modern fiber optics communications network. And that network would be vital for EDUCATION as well...

* Our schools could access any library in the U.S. or the world and have guest teachers via a two-way interactive audio and visual network. We have one of the highest high school graduation rates in the country; let's give our kids unlimited opportunity to learn.

  For a state like Montana, the impact on education would be dramatic. And a good education is so important for our Montana children if they're going to make it in the world.

* A fiber optic network would also be important to elderly Americans like my parents, who are both in their eighties. They could stay in their homes longer with the ability to daily monitor their well-being rather than being prematurely forced into a medical care facility or nursing home. An additional year or two in their own home will mean a lot to them.

* And think of the impact of a fiber optic network on jobs. An engineer who graduates from Montana State University and wants to live in the state will be able to work anywhere in the world and yet live in Montana via a fiber optic network. Eighty percent of our graduating engineers are now leaving the state to find jobs. Let's keep our best and brightest right here at home.

* Data processing or telemarketing jobs could be imported into Montana, where we have a hardworking, well-educated workforce.

Nations like Japan realize the value of this technology and plan to have a complete fiber optic network by the year 2015. We have to do the same in this country.

But under current communications policy it will take the U.S. until the year 2040. In the high-tech world we live in, that 25 year difference is an eternity. Montana and this nation will lose if we don't remove the regulations that keep America from using fiber optic technology to the fullest extent.

The updating of our communications laws needs to be done at both the state and federal levels. I was pleased to see that this legislature has passed forward-looking legislation to help upgrade our telephone network -- to help encourage the installation of digital equipment that is vital to a modern system. I commend you for your action and hope you will continue to review communications policy in the state to insure that Montana is not left behind.

Next month, I will also be introducing legislation to modernize our telecommunications infrastructure and help make Montana a part of the Information Age. I hope I'll have the support of every legislator in this room to help bring better health care, a better economy and better educational opportunities to our state through this technology. This technology has the potential to help you solve many of the problems you face as legislators in trying so hard to bring the highest quality education available at every level, from elementary school to vo-tech to college -- at a reasonable cost.

Speaking of education, I was pleasantly surprised when I was informed by the National School Boards Association that I scored 100 percent on their education voting record scorecard. I sure didn't try to make that happen, but I cast each vote and tried to do my best for the education of all Americans.

I had a chance in February to read to a group of four and five year-olds in an Even Start Program in Billings. It is amazing how effective programs like this work.

My daughter Keely is a sophomore at Montana State University majoring in pre-med. She is just like many other Montana students, dedicated to her education.

I am supporting legislation to establish a statewide Parents as Teachers program like Even Start in Montana. I strongly support Head Start -- WIC -- Hot Breakfast for under-privileged children. Healthy, well-fed kids learn, sick and hungry ones can't.

Today there are unprecedented opportunities for Americans and for Montanans. We can all hold our heads high -- America does have a great future. But those of us in public office have a great responsibility to help our state and our country realize their full potential.

After being in this job, I appreciate the state legislature a lot more than I used to. I know you still have difficult days ahead as you work on Montana's problems. I wish you success, and I look forward to working with all of you in every way I can to help the state we all love. Good luck!

Mr. Speaker thanked Senator Burns for addressing the members. The committee escorted the Senator from the House chamber.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/27/91
Correctly printed: HB 196, HB 514.
Correctly enrolled: HB 76, HB 333, HB 407, HB 421, HB 530, HB 816, HB 957, HJR 16.
Examined by the sponsor and found to be correct:
HB 76 - Gould
HB 333 - Brooke
HB 407 - Bradley
HB 421 - Hoffman
HB 530 - Brooke

HB 816 - Harrington
HB 957 - J. Johnson
Signed by the Speaker at 8:00 a.m., 3/27/91: HB 111, HB 161, HB 203, HB 290, HB 311, HB 356, HB 471, HB 504, HB 588, HB 712, HB 771, HB 829, HB 938, HJR 16, SB 214, SB 265, SB 291, SB 306, SB 319, SB 356, SB 408, SB 422.

APPROPRIATIONS (Bardanouve, Chairman): 3/27/91
HB 514, second reading copy, be amended as follows:

1. Title, line 5.
Strike: "AND" through "EMPLOYEES"

2. Title, line 13.
Following: "~~2-18-204,~~"
Insert: "2-18-301,"

3. Page 1.
Following: line 17
Strike: everything after the enacting clause
Insert: "NEW SECTION. Section 1. Shift differential and hazardous duty pay negotiated. (1) Each agency shall negotiate with employees for shift differential pay for those employees who are regularly scheduled to work other than the day shift.

(2) Each agency shall negotiate with employees for hazardous duty pay for those employees who work under hazardous conditions.

Section 2. Section 2-18-301, MCA, is amended to read:

"2-18-301. Purpose and intent of part -- rules. (1) The purpose of this part is to provide the compensation necessary to attract and retain competent and qualified employees in order to perform the services the state is required to provide to its citizens.

(2) It is the intent of the legislature that, for the biennium ending June 30, ~~1991~~ 1993, the:

(a) pay schedules provided for in 2-18-312 through 2-18-315 supersede any other plan or systems established through collective bargaining after the adjournment of the ~~51st~~ 52nd legislature;

(b) pay levels provided for in 2-18-312 through 2-18-315 may not be increased through collective bargaining after adjournment of the ~~51st~~ 52nd legislature; and

(c) total funds required to implement the pay schedules provided for in 2-18-312 through 2-18-315 for any employee group or bargaining unit may not be increased through collective bargaining over the amount appropriated by the 51st legislature.

(3) The department shall administer the pay program established by the legislature on the basis of merit, internal equity, and competitiveness to external labor markets when fiscally able.

(4) The department may promulgate rules not inconsistent with the provisions of this part, collective bargaining statutes, or negotiated contracts to carry out the purposes of this part."

Section 3. Section 2-18-303, MCA, is amended to read:

"2-18-303. Procedures for utilizing pay schedules. (1) The pay schedules provided in 2-18-312 must be implemented as follows:

(a) The pay schedules provided in 2-18-312 indicate the annual compensation for the fiscal years ending June 30, ~~1990~~ 1992, and June 30, ~~1991~~ 1993, for each grade and step for positions classified under the provisions of part 2 of this chapter.

(b) Each new employee shall advance from step 1 to step 2 of a grade after successfully completing 6 months of probationary service. The anniversary date of an employee must be established at the end of the probationary period in accordance with rules promulgated by the department.

(c) (i) The compensation of each employee on the first day of the first pay period in fiscal year ~~1990~~ 1992 is that amount corresponding to the grade and step occupied on the last day of fiscal year ~~1989~~ 1991.

(ii) The compensation of each employee on the first day of the first pay period in fiscal year ~~1991~~ 1993 is that amount corresponding to the grade and step occupied on the last day of fiscal year ~~1990~~ 1992.

(2) The pay schedules provided in 2-18-312 and the provisions of subsection (1) do not apply to those teachers, liquor store occupations, or blue-collar occupations compensated under the pay schedules provided in 2-18-313 through 2-18-315.

(3) The pay schedules provided in 2-18-313 through 2-18-315 must be implemented as follows:

(a) (i) The pay schedules provided for in 2-18-313 indicate the annual compensation for the contracted school term for teachers employed under the authority of the department of institutions or the department of family services for fiscal years ~~1990~~ 1992 and ~~1991~~ 1993.

(ii) On the first day of the first pay period in July ~~1989~~ 1991, the compensation of each teacher ~~shall advance three steps~~ is that amount on the appropriate pay schedule for fiscal year ~~1990~~ 1992 ~~from~~ that corresponds to his level of academic achievement and the step that he occupied on June 30, ~~1989~~ 1991.

(iii) The compensation of each teacher on the first day of the first pay period in July ~~1990~~ 1992 is that amount corresponding to his level of academic achievement and the step occupied on June 30, ~~1990~~ 1992.

(b) (i) The pay schedules provided in 2-18-314 indicate the maximum hourly compensation for fiscal years ending June 30, ~~1990~~ 1992, and June 30, ~~1991~~ 1993, for those employees in liquor store occupations who have collectively bargained separate classification and pay plans.

(ii) The compensation of each employee on the first day of the first pay period in fiscal year ~~1990~~ 1992 or ~~1991~~ 1993 is that amount corresponding to the grade occupied on the last day of the preceding fiscal year.

(c) (i) The pay schedules provided in 2-18-315 indicate the maximum hourly compensation for fiscal years ending June 30, ~~1990~~ 1992, and June 30, ~~1991~~ 1993, for employees in apprentice

trades and crafts and other blue-collar occupations recognized in the state blue-collar classification plan who are members of units that have collectively bargained separate classification and pay plans.

(ii) The compensation of each employee on the first day of the first pay period in fiscal year ~~1990~~ 1992 or ~~1991~~ 1993 is that amount corresponding to the grade occupied on the last day of the preceding fiscal year.

~~(4) (a) (i) A member of a bargaining unit may not receive the amounts indicated in the respective pay schedules provided in 2-18-312 through 2-18-315 until the bargaining unit of which he is a member ratifies a completely integrated collective bargaining agreement covering the biennium ending June 30, 1991.~~

~~(ii) If negotiation and ratification of a completely integrated collective bargaining agreement as required by subsection (4)(a)(i) are not completed by July 1, 1989, retroactivity to that date may be negotiated.~~

~~(iii) If negotiation and ratification of a completely integrated collective bargaining agreement as required by subsection (4)(a)(i) are not completed by July 1, 1989, members of the bargaining unit involved must continue to receive the compensation they were receiving as of June 30, 1989.~~

(4) Methods of administration not inconsistent with the purpose of this part and necessary to properly implement the pay schedules provided in 2-18-312 through 2-18-315 may be provided for in collective bargaining agreements.

(5) The current wage or salary of an employee may not be reduced by the implementation of the pay schedules provided for in 2-18-312 through 2-18-315.

(6) The department may authorize a separate pay schedule for medical doctors if the rates provided in 2-18-312 are not sufficient to attract and retain fully licensed and qualified physicians at the state institutions.

(7) The department may develop programs that enable the department to mitigate problems associated with difficult recruitment, retention, transfer, or other exceptional circumstances. Insofar as the program may apply to employees within a collective bargaining unit, it is a negotiable subject under 39-31-305.

(8) The department shall review the competitiveness of the compensation provided to registered nurses and other occupations under this part. If the department finds that substantial problems exist with recruitment and retention because of inadequate salaries when compared to competing employers, the department may establish criteria allowing an adjustment in pay or classification to mitigate the problems. The department shall review the appropriateness of blanket pay plan exceptions and shall adjust or eliminate such exceptions accordingly. Insofar as these adjustments may apply to employees within a collective bargaining unit, the implementation of these adjustments is a negotiable subject under 39-31-305."

Section 4. Section 2-18-312, MCA, is amended to read:

"2-18-312. Statewide pay schedules for fiscal years ~~1990~~ 1992 and ~~1991~~ 1993. (1) The statewide classification pay schedule for fiscal year ~~1990~~ 1992 is as follows:

Annual Hours -- 2080 Note: Includes Insurance
Pay Matrix -- State Matrix Type -- Annual

	STEP												
GRADE	1	2	3	4	5	6	7	8	9	10	11	12	13
~~1~~	~~10,132~~	~~10,830~~	~~11,041~~	~~11,247~~	~~11,457~~	~~11,671~~	~~11,890~~	~~12,113~~	~~12,340~~	~~12,572~~	~~12,809~~	~~13,050~~	~~13,542~~
~~2~~	~~10,614~~	~~11,357~~	~~11,569~~	~~11,786~~	~~12,007~~	~~12,232~~	~~12,462~~	~~12,696~~	~~12,935~~	~~13,179~~	~~13,428~~	~~13,682~~	~~14,200~~
~~3~~	~~11,138~~	~~11,921~~	~~12,145~~	~~12,373~~	~~12,606~~	~~12,843~~	~~13,085~~	~~13,332~~	~~13,584~~	~~13,841~~	~~14,103~~	~~14,370~~	~~14,915~~
~~4~~	~~11,711~~	~~12,537~~	~~12,773~~	~~13,014~~	~~13,259~~	~~13,500~~	~~13,764~~	~~14,024~~	~~14,290~~	~~14,561~~	~~14,837~~	~~15,110~~	~~15,694~~
~~5~~	~~12,343~~	~~13,216~~	~~13,466~~	~~13,721~~	~~13,981~~	~~14,246~~	~~14,516~~	~~14,792~~	~~15,073~~	~~15,360~~	~~15,652~~	~~15,950~~	~~16,558~~
~~6~~	~~13,035~~	~~13,960~~	~~14,224~~	~~14,494~~	~~14,769~~	~~15,050~~	~~15,336~~	~~15,628~~	~~15,926~~	~~16,230~~	~~16,540~~	~~16,856~~	~~17,501~~
~~7~~	~~13,802~~	~~14,785~~	~~15,066~~	~~15,353~~	~~15,645~~	~~15,043~~	~~16,247~~	~~16,557~~	~~16,873~~	~~17,196~~	~~17,525~~	~~17,861~~	~~18,546~~
~~8~~	~~14,629~~	~~15,674~~	~~15,973~~	~~16,278~~	~~16,589~~	~~16,906~~	~~17,220~~	~~17,550~~	~~17,895~~	~~18,238~~	~~18,588~~	~~18,945~~	~~19,673~~
~~9~~	~~15,547~~	~~16,662~~	~~16,980~~	~~17,305~~	~~17,636~~	~~17,974~~	~~18,319~~	~~18,671~~	~~19,030~~	~~19,396~~	~~19,769~~	~~20,150~~	~~20,926~~
~~10~~	~~16,553~~	~~17,743~~	~~18,083~~	~~18,430~~	~~18,784~~	~~19,145~~	~~19,513~~	~~19,888~~	~~20,271~~	~~20,662~~	~~21,060~~	~~21,466~~	~~22,295~~
~~11~~	~~17,652~~	~~18,925~~	~~19,289~~	~~19,660~~	~~20,038~~	~~20,424~~	~~20,818~~	~~21,220~~	~~21,630~~	~~22,048~~	~~22,474~~	~~22,909~~	~~23,796~~
~~12~~	~~18,868~~	~~20,233~~	~~20,623~~	~~21,021~~	~~21,427~~	~~21,841~~	~~22,263~~	~~22,693~~	~~23,132~~	~~23,580~~	~~24,037~~	~~24,503~~	~~25,477~~
~~13~~	~~20,204~~	~~21,669~~	~~22,088~~	~~22,515~~	~~22,951~~	~~23,395~~	~~23,848~~	~~24,310~~	~~24,788~~	~~25,281~~	~~25,783~~	~~26,295~~	~~27,341~~
~~14~~	~~21,880~~	~~23,471~~	~~23,926~~	~~24,390~~	~~24,872~~	~~25,366~~	~~25,870~~	~~26,384~~	~~26,909~~	~~27,444~~	~~27,991~~	~~28,547~~	~~29,683~~
~~15~~	~~23,625~~	~~25,360~~	~~25,873~~	~~26,388~~	~~26,912~~	~~27,447~~	~~27,994~~	~~28,550~~	~~29,118~~	~~29,697~~	~~30,289~~	~~30,891~~	~~32,121~~
~~16~~	~~25,613~~	~~27,520~~	~~28,077~~	~~28,635~~	~~29,205~~	~~29,786~~	~~30,379~~	~~30,984~~	~~31,601~~	~~32,230~~	~~32,872~~	~~33,527~~	~~34,862~~
~~17~~	~~27,787~~	~~29,867~~	~~30,462~~	~~31,069~~	~~31,687~~	~~32,317~~	~~32,961~~	~~33,617~~	~~34,286~~	~~34,969~~	~~35,665~~	~~36,375~~	~~37,825~~
~~18~~	~~30,100~~	~~32,451~~	~~33,097~~	~~33,756~~	~~34,429~~	~~35,114~~	~~35,813~~	~~36,527~~	~~37,255~~	~~37,997~~	~~38,754~~	~~39,526~~	~~41,101~~
~~19~~	~~32,831~~	~~35,291~~	~~35,994~~	~~36,710~~	~~37,441~~	~~38,187~~	~~38,948~~	~~39,724~~	~~40,515~~	~~41,323~~	~~42,146~~	~~42,986~~	~~42,986~~
~~20~~	~~35,714~~	~~38,391~~	~~39,156~~	~~39,936~~	~~40,731~~	~~41,543~~	~~42,371~~	~~43,216~~	~~44,077~~	~~44,955~~	~~45,851~~	~~45,851~~	~~45,851~~
~~21~~	~~38,885~~	~~41,802~~	~~42,635~~	~~43,485~~	~~44,352~~	~~45,236~~	~~46,138~~	~~47,058~~	~~47,996~~	~~48,953~~	~~48,953~~	~~48,953~~	~~48,953~~
~~22~~	~~42,366~~	~~45,544~~	~~46,452~~	~~47,379~~	~~48,324~~	~~49,287~~	~~50,270~~	~~51,273~~	~~52,295~~	~~52,295~~	~~52,295~~	~~52,295~~	~~52,295~~
~~23~~	~~46,174~~	~~49,630~~	~~50,620~~	~~51,638~~	~~52,669~~	~~53,719~~	~~54,790~~	~~55,883~~	~~55,883~~	~~55,883~~	~~55,883~~	~~55,883~~	~~55,883~~
~~24~~	~~50,358~~	~~54,137~~	~~55,218~~	~~56,320~~	~~57,443~~	~~58,589~~	~~59,757~~	~~59,757~~	~~59,757~~	~~59,757~~	~~59,757~~	~~59,757~~	~~59,757~~
~~25~~	~~54,953~~	~~59,079~~	~~60,258~~	~~61,460~~	~~62,686~~	~~63,936~~	~~63,936~~	~~63,936~~	~~63,936~~	~~63,936~~	~~63,936~~	~~63,936~~	~~63,936~~
1	12,524	13,231	13,433	13,639	13,849	14,063	14,282	14,505	14,732	14,964	15,201	15,442	15,934
2	13,006	13,749	13,961	14,178	14,399	14,624	14,854	15,088	15,327	15,571	15,820	16,074	16,592
3	13,530	14,313	14,537	14,765	14,998	15,235	15,477	15,724	15,976	16,233	16,495	16,762	17,307
4	14,103	14,929	15,165	15,406	15,651	15,901	16,156	16,416	16,682	16,953	17,229	17,511	18,086
5	14,735	15,608	15,858	16,113	16,373	16,638	16,908	17,184	17,465	17,752	18,044	18,342	18,950
6	15,427	16,352	16,616	16,886	17,161	17,442	17,728	18,020	18,318	18,622	18,932	19,248	19,893
7	16,194	17,177	17,458	17,745	18,037	18,335	18,639	18,949	19,265	19,588	19,917	20,253	20,938
8	17,021	18,066	18,365	18,670	18,981	19,298	19,621	19,951	20,287	20,630	20,980	21,337	22,065
9	17,939	19,054	19,372	19,697	20,028	20,366	20,711	21,063	21,422	21,788	22,161	22,542	23,318
10	19,121	20,135	20,475	20,822	21,176	21,537	21,905	22,280	22,663	23,054	23,452	23,858	24,687
11	20,571	21,317	21,681	22,052	22,430	22,816	23,210	23,612	24,022	24,440	24,866	25,301	26,188
12	22,180	22,625	23,015	23,413	23,819	24,233	24,655	25,085	25,524	25,972	26,431	26,909	27,907
13	23,925	24,061	24,480	24,907	25,343	25,787	26,240	26,711	27,201	27,706	28,221	28,745	29,818
14	25,857	25,863	26,318	26,793	27,287	27,793	28,310	28,837	29,375	29,923	30,484	31,054	32,218
15	27,984	27,984	28,313	28,841	29,378	29,926	30,487	31,057	31,639	32,232	32,839	33,456	34,717
16	30,356	30,356	30,572	31,144	31,728	32,324	32,931	33,552	34,184	34,829	35,487	36,158	37,527
17	33,003	33,003	33,017	33,639	34,272	34,918	35,578	36,250	36,936	37,636	38,350	39,077	40,564

18	35.921	35.921	35.921	36.393	37.083	37.785	38.501	39.233	39.979	40.740	41.516	42.307	43.922
19	39.190	39.190	39.190	39.421	40.170	40.935	41.715	42.510	43.321	44.149	44.993	45.854	45.854
20	42.839	42.839	42.839	42.839	43.542	44.375	45.223	46.089	46.972	47.872	48.790	48.790	48.790
21	46.893	46.893	46.893	46.893	47.254	48.160	49.084	50.027	50.989	51.970	51.970	51.970	51.970
22	51.421	51.421	51.421	51.421	51.421	52.312	53.320	54.348	55.395	55.395	55.395	55.395	55.395
23	56.529	56.529	56.529	56.529	56.529	56.855	57.953	59.073	59.073	59.073	59.073	59.073	59.073
24	62.264	62.264	62.264	62.264	62.264	62.264	63.044	63.044	63.044	63.044	63.044	63.044	63.044
25	68.610	68.610	68.610	68.610	68.610	68.610	68.610	68.610	68.610	68.610	68.610	68.610	68.610

(2) The statewide classification pay schedule for fiscal year ~~1991~~ 1993 is as follows:

Annual Hours -- 2080 Note: Includes Insurance
Pay Matrix -- State Matrix Type -- Annual

STEP

GRADE	1	2	3	4	5	6	7	8	9	10	11	12	13
~~1~~	~~10,032~~	~~11,639~~	~~11,841~~	~~12,047~~	~~12,257~~	~~12,471~~	~~12,690~~	~~12,913~~	~~13,140~~	~~13,372~~	~~13,609~~	~~13,850~~	~~14,342~~
~~2~~	~~11,414~~	~~12,157~~	~~12,360~~	~~12,586~~	~~12,807~~	~~13,032~~	~~13,262~~	~~13,496~~	~~13,735~~	~~13,979~~	~~14,228~~	~~14,482~~	~~15,000~~
~~3~~	~~11,938~~	~~12,721~~	~~12,945~~	~~13,173~~	~~13,406~~	~~13,643~~	~~13,885~~	~~14,132~~	~~14,384~~	~~14,641~~	~~14,903~~	~~15,170~~	~~15,715~~
~~4~~	~~12,511~~	~~13,337~~	~~13,573~~	~~13,814~~	~~14,059~~	~~14,309~~	~~14,564~~	~~14,824~~	~~15,090~~	~~15,361~~	~~15,637~~	~~15,919~~	~~16,494~~
~~5~~	~~13,143~~	~~14,016~~	~~14,266~~	~~14,521~~	~~14,781~~	~~15,046~~	~~15,316~~	~~15,592~~	~~15,873~~	~~16,160~~	~~16,452~~	~~16,750~~	~~17,358~~
~~6~~	~~13,835~~	~~14,760~~	~~15,024~~	~~15,294~~	~~15,569~~	~~15,850~~	~~16,136~~	~~16,428~~	~~16,726~~	~~17,030~~	~~17,340~~	~~17,656~~	~~18,301~~
~~7~~	~~14,602~~	~~15,585~~	~~15,866~~	~~16,153~~	~~16,445~~	~~16,743~~	~~17,047~~	~~17,357~~	~~17,673~~	~~17,996~~	~~18,325~~	~~18,661~~	~~19,346~~
~~8~~	~~15,420~~	~~16,474~~	~~16,773~~	~~17,078~~	~~17,389~~	~~17,706~~	~~18,029~~	~~18,359~~	~~18,695~~	~~19,038~~	~~19,388~~	~~19,745~~	~~20,473~~
~~9~~	~~16,347~~	~~17,462~~	~~17,780~~	~~18,105~~	~~18,436~~	~~18,774~~	~~19,119~~	~~19,471~~	~~19,830~~	~~20,196~~	~~20,569~~	~~20,950~~	~~21,726~~
~~10~~	~~17,353~~	~~18,543~~	~~18,883~~	~~19,230~~	~~19,584~~	~~19,945~~	~~20,313~~	~~20,688~~	~~21,071~~	~~21,462~~	~~21,860~~	~~22,266~~	~~23,095~~
~~11~~	~~18,452~~	~~19,725~~	~~20,089~~	~~20,460~~	~~20,838~~	~~21,224~~	~~21,618~~	~~22,020~~	~~22,430~~	~~22,848~~	~~23,274~~	~~23,709~~	~~24,596~~
~~12~~	~~19,668~~	~~21,033~~	~~21,423~~	~~21,821~~	~~22,227~~	~~22,641~~	~~23,063~~	~~23,493~~	~~23,932~~	~~24,380~~	~~24,839~~	~~25,317~~	~~26,315~~
~~13~~	~~21,004~~	~~22,460~~	~~22,888~~	~~23,315~~	~~23,751~~	~~24,195~~	~~24,648~~	~~25,110~~	~~25,600~~	~~26,114~~	~~26,620~~	~~27,153~~	~~28,226~~
~~14~~	~~22,680~~	~~24,271~~	~~24,726~~	~~25,201~~	~~25,695~~	~~26,201~~	~~26,718~~	~~27,245~~	~~27,783~~	~~28,331~~	~~28,892~~	~~29,462~~	~~30,626~~
~~15~~	~~24,425~~	~~26,204~~	~~26,721~~	~~27,249~~	~~27,786~~	~~28,334~~	~~28,895~~	~~29,465~~	~~30,047~~	~~30,640~~	~~31,247~~	~~31,864~~	~~33,125~~
~~16~~	~~26,454~~	~~28,418~~	~~28,080~~	~~29,552~~	~~30,136~~	~~30,732~~	~~31,339~~	~~31,960~~	~~32,592~~	~~33,237~~	~~33,895~~	~~34,566~~	~~35,935~~
~~17~~	~~28,683~~	~~30,815~~	~~31,425~~	~~32,047~~	~~32,680~~	~~33,326~~	~~33,986~~	~~34,658~~	~~35,344~~	~~36,044~~	~~36,758~~	~~37,485~~	~~38,972~~
~~18~~	~~31,146~~	~~33,463~~	~~34,125~~	~~34,801~~	~~35,491~~	~~36,193~~	~~36,909~~	~~37,641~~	~~38,387~~	~~39,148~~	~~39,924~~	~~40,715~~	~~42,330~~
~~19~~	~~33,853~~	~~36,374~~	~~37,095~~	~~37,829~~	~~38,578~~	~~39,343~~	~~40,123~~	~~40,918~~	~~41,729~~	~~42,557~~	~~43,401~~	~~44,262~~	~~44,262~~
~~20~~	~~36,808~~	~~39,552~~	~~40,336~~	~~41,135~~	~~41,950~~	~~42,783~~	~~43,631~~	~~44,497~~	~~45,380~~	~~46,280~~	~~47,198~~	~~47,198~~	~~47,198~~
~~21~~	~~40,058~~	~~43,048~~	~~43,902~~	~~44,773~~	~~45,662~~	~~46,568~~	~~47,492~~	~~48,435~~	~~49,397~~	~~50,378~~	~~50,378~~	~~50,378~~	~~50,378~~
~~22~~	~~43,626~~	~~46,884~~	~~47,814~~	~~48,764~~	~~49,733~~	~~50,720~~	~~51,728~~	~~52,756~~	~~53,803~~	~~53,803~~	~~53,803~~	~~53,803~~	~~53,803~~
~~23~~	~~47,520~~	~~51,081~~	~~52,096~~	~~53,130~~	~~54,187~~	~~55,263~~	~~56,361~~	~~57,481~~	~~57,481~~	~~57,481~~	~~57,481~~	~~57,481~~	~~57,481~~
~~24~~	~~51,818~~	~~55,691~~	~~56,799~~	~~57,929~~	~~59,080~~	~~60,255~~	~~61,452~~	~~61,452~~	~~61,452~~	~~61,452~~	~~61,452~~	~~61,452~~	~~61,452~~
~~25~~	~~56,528~~	~~60,757~~	~~61,965~~	~~63,198~~	~~64,454~~	~~65,735~~	~~65,735~~	~~65,735~~	~~65,735~~	~~65,735~~	~~65,735~~	~~65,735~~	~~65,735~~

1	14.864	15.571	15.773	15.979	16.189	16.403	16.622	16.845	17.072	17.304	17.541	17.782	18.274
2	15.346	16.089	16.301	16.518	16.739	16.964	17.194	17.428	17.667	17.911	18.160	18.414	18.932
3	15.870	16.653	16.877	17.105	17.338	17.575	17.817	18.064	18.316	18.573	18.835	19.102	19.647
4	16.443	17.269	17.505	17.746	17.991	18.241	18.496	18.756	19.022	19.293	19.569	19.851	20.426
5	17.075	17.948	18.198	18.453	18.713	18.978	19.248	19.524	19.805	20.092	20.384	20.682	21.290
6	17.767	18.692	18.956	19.226	19.501	19.782	20.068	20.360	20.658	20.962	21.272	21.588	22.233
7	18.534	19.517	19.798	20.085	20.377	20.675	20.979	21.289	21.605	21.928	22.257	22.593	23.278
8	19.361	20.406	20.705	21.010	21.321	21.638	21.961	22.291	22.627	22.970	23.320	23.677	24.405
9	20.279	21.394	21.712	22.037	22.368	22.706	23.051	23.403	23.762	24.128	24.501	24.882	25.658
10	21.461	22.475	22.815	23.162	23.516	23.877	24.245	24.620	25.003	25.394	25.792	26.198	27.027

11	22.911	23.657	24.021	24.392	24.770	25.156	25.550	25.952	26.362	26.780	27.206	27.641	28.528
12	24.520	24.965	25.355	25.753	26.159	26.573	26.995	27.425	27.864	28.312	28.771	29.249	30.247
13	26.265	26.401	26.820	27.247	27.683	28.127	28.580	29.051	29.541	30.046	30.561	31.085	32.158
14	28.197	28.203	28.658	29.133	29.627	30.133	30.650	31.177	31.715	32.263	32.824	33.394	34.558
15	30.324	30.324	30.653	31.181	31.718	32.266	32.827	33.397	33.979	34.572	35.179	35.796	37.057
16	32.696	32.696	32.912	33.484	34.068	34.664	35.271	35.892	36.524	37.169	37.827	38.498	39.867
17	35.343	35.343	35.357	35.979	36.612	37.258	37.918	38.590	39.276	39.976	40.690	41.417	42.904
18	38.261	38.261	38.261	38.733	39.423	40.125	40.841	41.573	42.319	43.080	43.856	44.647	46.262
19	41.530	41.530	41.530	41.761	42.510	43.275	44.055	44.850	45.661	46.489	47.333	48.194	48.194
20	45.179	45.179	45.179	45.179	45.882	46.715	47.563	48.429	49.312	50.212	51.130	51.130	51.130
21	49.233	49.233	49.233	49.233	49.594	50.500	51.424	52.367	53.329	54.310	54.310	54.310	54.310
22	53.761	53.761	53.761	53.761	53.761	54.652	55.660	56.688	57.735	57.735	57.735	57.735	57.735
23	58.869	58.869	58.869	58.869	58.869	59.195	60.293	61.413	61.413	61.413	61.413	61.413	61.413
24	64.604	64.604	64.604	64.604	64.604	64.604	65.384	65.384	65.384	65.384	65.384	65.384	65.384
25	70.950	70.950	70.950	70.950	70.950	70.950	70.950	70.950	70.950	70.950	70.950	70.950	70.950"

Section 5. Section 2-18-313, MCA, is amended to read:

"2-18-313. Teachers' pay schedules. (1) (a) The 12-month pay schedule for teachers for fiscal year ~~1990~~ 1992 is as follows:

Annual Hours -- 2080 Note: Includes Insurance
Term -- Twelve Months Matrix Type -- Annual

Education Level

STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
~~1~~	~~21,228~~	~~21,870~~	~~22,529~~	~~22,850~~	~~23,173~~	~~23,832~~
~~2~~	~~21,983~~	~~22,699~~	~~23,416~~	~~23,775~~	~~24,134~~	~~24,859~~
~~3~~	~~22,738~~	~~23,529~~	~~24,302~~	~~24,706~~	~~25,110~~	~~25,905~~
~~4~~	~~23,494~~	~~24,362~~	~~25,206~~	~~25,652~~	~~26,097~~	~~26,949~~
~~5~~	~~24,247~~	~~25,206~~	~~26,115~~	~~26,598~~	~~27,084~~	~~27,995~~
~~6~~	~~25,016~~	~~26,060~~	~~27,027~~	~~27,548~~	~~28,071~~	~~29,041~~
~~7~~	~~25,786~~	~~26,908~~	~~27,934~~	~~28,496~~	~~29,056~~	~~30,083~~
~~8~~	~~26,561~~	~~27,760~~	~~28,847~~	~~29,446~~	~~30,045~~	~~31,127~~
~~9~~	~~27,335~~	~~28,610~~	~~29,756~~	~~30,392~~	~~31,033~~	~~32,172~~
~~10~~	~~28,108~~	~~29,464~~	~~30,664~~	~~31,340~~	~~32,018~~	~~33,218~~
~~11~~	~~28,884~~	~~30,286~~	~~31,571~~	~~32,288~~	~~33,005~~	~~34,260~~
~~12~~	~~28,884~~	~~30,286~~	~~31,571~~	~~32,288~~	~~33,005~~	~~34,260~~
~~13~~	~~28,884~~	~~30,286~~	~~31,571~~	~~32,288~~	~~33,005~~	~~34,260~~
1	23,639	24,299	24,941	25,262	25,586	26,245
2	24,395	25,111	25,829	26,188	26,552	27,295
3	25,150	25,942	26,725	27,139	27,553	28,369
4	25,907	26,786	27,652	28,109	28,565	29,440
5	26,668	27,652	28,584	29,080	29,578	30,513
6	27,456	28,528	29,520	30,055	30,591	31,586
7	28,247	29,398	30,450	31,027	31,601	32,655
8	29,042	30,272	31,387	32,001	32,616	33,726
9	29,835	31,144	32,320	32,972	33,630	34,798
10	30,629	32,020	33,251	33,945	34,640	35,871
11	31,425	32,863	34,181	34,917	35,653	36,941
12	31,425	32,863	34,181	34,917	35,653	36,941
13	31,425	32,863	34,181	34,917	35,653	36,941

(b) The 9-month pay schedule for teachers for fiscal year ~~1990~~ 1992 is as follows:

Annual Hours -- 1480 Note: Includes Insurance
Term -- Nine Months Matrix Type -- Annual

	Education Level					
STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
~~1~~	~~16,451~~	~~16,933~~	~~17,427~~	~~17,668~~	~~17,910~~	~~18,404~~
~~2~~	~~17,017~~	~~17,554~~	~~18,092~~	~~18,361~~	~~18,631~~	~~19,168~~
~~3~~	~~17,583~~	~~18,176~~	~~18,757~~	~~19,056~~	~~19,352~~	~~19,933~~
~~4~~	~~18,151~~	~~18,801~~	~~19,422~~	~~19,749~~	~~20,074~~	~~20,697~~
~~5~~	~~18,715~~	~~19,422~~	~~20,087~~	~~20,441~~	~~20,796~~	~~21,463~~
~~6~~	~~19,283~~	~~20,047~~	~~20,755~~	~~21,136~~	~~21,518~~	~~22,228~~
~~7~~	~~19,846~~	~~20,667~~	~~21,418~~	~~21,829~~	~~22,239~~	~~22,990~~
~~8~~	~~20,414~~	~~21,291~~	~~22,086~~	~~22,524~~	~~22,963~~	~~23,754~~
~~9~~	~~20,980~~	~~21,913~~	~~22,751~~	~~23,217~~	~~23,685~~	~~24,519~~
~~10~~	~~21,546~~	~~22,537~~	~~23,416~~	~~23,910~~	~~24,406~~	~~25,304~~
~~11~~	~~22,113~~	~~23,139~~	~~24,079~~	~~24,606~~	~~25,144~~	~~26,085~~
~~12~~	~~22,113~~	~~23,139~~	~~24,079~~	~~24,606~~	~~25,144~~	~~26,085~~
~~13~~	~~22,113~~	~~23,139~~	~~24,079~~	~~24,606~~	~~25,144~~	~~26,085~~
1	18,467	18,950	19,444	19,686	19,928	20,422
2	19,034	19,571	20,110	20,379	20,649	21,187
3	19,600	20,194	20,775	21,075	21,371	21,953
4	20,169	20,820	21,441	21,768	22,094	22,717
5	20,733	21,441	22,107	22,461	22,816	23,484
6	21,302	22,067	22,775	23,157	23,539	24,250
7	21,865	22,687	23,439	23,850	24,261	25,012
8	22,434	23,312	24,107	24,546	24,985	25,777
9	23,000	23,934	24,773	25,239	25,708	26,557
10	23,567	24,559	25,439	25,933	26,440	27,362
11	24,134	25,161	26,105	26,646	27,198	28,163
12	24,134	25,161	26,105	26,646	27,198	28,163
13	24,134	25,161	26,105	26,646	27,198	28,163

(2) (a) The 12-month pay schedule for teachers for fiscal year ~~1991~~ 1993 is as follows:

Annual Hours -- 2080 Note: Includes Insurance
Term -- Twelve Months Matrix Type -- Annual

	Education Level					
STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
~~1~~	~~22,028~~	~~22,670~~	~~23,329~~	~~23,650~~	~~23,973~~	~~24,632~~
~~2~~	~~22,783~~	~~23,499~~	~~24,216~~	~~24,575~~	~~24,938~~	~~25,681~~
~~3~~	~~23,538~~	~~24,329~~	~~25,111~~	~~25,525~~	~~25,939~~	~~26,754~~
~~4~~	~~24,294~~	~~25,172~~	~~26,037~~	~~26,494~~	~~26,950~~	~~27,824~~
~~5~~	~~25,054~~	~~26,037~~	~~26,969~~	~~27,464~~	~~27,962~~	~~28,896~~
~~6~~	~~25,842~~	~~26,913~~	~~27,904~~	~~28,438~~	~~28,974~~	~~29,968~~
~~7~~	~~26,632~~	~~27,782~~	~~28,833~~	~~29,409~~	~~29,983~~	~~31,036~~
~~8~~	~~27,426~~	~~28,655~~	~~29,769~~	~~30,383~~	~~30,997~~	~~32,106~~
~~9~~	~~28,219~~	~~29,526~~	~~30,701~~	~~31,353~~	~~32,010~~	~~33,177~~

~~10 29,012 30,402 31,632 32,325 33,019 34,249~~
~~11 29,807 31,244 32,561 33,296 34,031 35,318~~
~~12 29,807 31,244 32,561 33,296 34,031 35,318~~
~~13 29,807 31,244 32,561 33,296 34,031 35,318~~

1	25,311	25,971	26,614	26,936	27,259	27,920
2	26,067	26,785	27,503	27,863	28,226	28,970
3	26,824	27,616	28,399	28,814	29,229	30,045
4	27,581	28,461	29,327	29,785	30,242	31,117
5	28,342	29,327	30,261	30,757	31,255	32,191
6	29,132	30,205	31,197	31,732	32,269	33,265
7	29,923	31,075	32,128	32,705	33,280	34,335
8	30,719	31,950	33,066	33,681	34,296	35,407
9	31,513	32,822	33,999	34,652	35,311	36,480
10	32,307	33,700	34,932	35,626	36,321	37,554
11	33,104	34,543	35,863	36,599	37,335	38,624
12	33,104	34,543	35,863	36,599	37,335	38,624
13	33,104	34,543	35,863	36,599	37,335	38,624

(b) The 9-month pay schedule for teachers for fiscal year ~~1991~~ 1993 is as follows:

Annual Hours -- 1480 Note: Includes Insurance
Term -- Nine Months Matrix Type -- Annual

Education Level

STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
~~1~~	~~17,251~~	~~17,733~~	~~18,227~~	~~18,468~~	~~18,710~~	~~19,204~~
~~2~~	~~17,817~~	~~18,354~~	~~18,892~~	~~19,161~~	~~19,431~~	~~19,968~~
~~3~~	~~18,383~~	~~18,976~~	~~19,557~~	~~19,856~~	~~20,152~~	~~20,733~~
~~4~~	~~18,951~~	~~19,601~~	~~20,222~~	~~20,549~~	~~20,874~~	~~21,497~~
~~5~~	~~19,515~~	~~20,222~~	~~20,887~~	~~21,241~~	~~21,596~~	~~22,263~~
~~6~~	~~20,083~~	~~20,847~~	~~21,555~~	~~21,936~~	~~22,318~~	~~23,028~~
~~7~~	~~20,646~~	~~21,467~~	~~22,218~~	~~22,629~~	~~23,039~~	~~23,790~~
~~8~~	~~21,214~~	~~22,091~~	~~22,886~~	~~23,324~~	~~23,763~~	~~24,554~~
~~9~~	~~21,780~~	~~22,713~~	~~23,551~~	~~24,017~~	~~24,485~~	~~25,333~~
~~10~~	~~22,346~~	~~23,337~~	~~24,216~~	~~24,710~~	~~25,217~~	~~26,138~~
~~11~~	~~22,913~~	~~23,939~~	~~24,882~~	~~25,422~~	~~25,974~~	~~26,938~~
~~12~~	~~22,913~~	~~23,939~~	~~24,882~~	~~25,422~~	~~25,974~~	~~26,938~~
~~13~~	~~22,913~~	~~23,939~~	~~24,882~~	~~25,422~~	~~25,974~~	~~26,938~~

1	19,745	20,228	20,722	20,964	21,206	21,701
2	20,312	20,850	21,389	21,658	21,928	22,466
3	20,879	21,473	22,055	22,354	22,651	23,233
4	21,448	22,099	22,721	23,048	23,374	23,998
5	22,013	22,721	23,387	23,742	24,097	24,765
6	22,582	23,347	24,056	24,438	24,821	25,532
7	23,146	23,968	24,720	25,132	25,543	26,295
8	23,715	24,593	25,390	25,828	26,268	27,060
9	24,282	25,216	26,056	26,523	26,991	27,841
10	24,849	25,841	26,722	27,217	27,725	28,647
11	25,417	26,444	27,389	27,930	28,483	29,449
12	25,417	26,444	27,389	27,930	28,483	29,449

13 25,417 26,444 27,389 27,930 28,483 29,449"

Section 6. Section 2-18-314, MCA, is amended to read:

"2-18-314. Liquor store occupations pay schedules. (1) The pay schedule for liquor store occupations for fiscal year ~~1990~~ 1992 is as follows:

Annual Hours -- 2080 Note: With Insurance
Pay Matrix -- Retail Clerk Matrix Type -- Hourly

Grade	$/Hour W/Ins.
~~L1~~	~~0.000~~
~~L2~~	~~8.040~~
~~L3~~	~~8.540~~
~~L4~~	~~8.820~~
~~L5~~	~~9.110~~
~~L6~~	~~9.720~~
~~L7~~	~~10.380~~
~~L8~~	~~11.130~~
L1	0.000
L2	9.198
L3	9.698
L4	9.978
L5	10.269
L6	10.879
L7	11.540
L8	12.290

(2) The pay schedule for liquor store occupations for fiscal year ~~1991~~ 1993 is as follows:

Annual Hours -- 2080 Note: With Insurance
Pay Matrix -- Retail Clerk Matrix Type -- Hourly

Grade	$/Hour W/Ins.
~~L1~~	~~0.000~~
~~L2~~	~~8.425~~
~~L3~~	~~8.925~~
~~L4~~	~~9.205~~
~~L5~~	~~9.495~~
~~L6~~	~~10.105~~
~~L7~~	~~10.765~~
~~L8~~	~~11.515~~
L1	0.000
L2	10.000
L3	10.500
L4	10.781
L5	11.072
L6	11.682

L7	12.344
L8	13.095"

Section 7. Section 2-18-315, MCA, is amended to read:

"2-18-315. Blue-collar pay schedules. (1) The pay schedule for blue-collar workers for fiscal year ~~1990~~ 1992 is as follows:

Annual Hours -- 2080 Note: With Insurance
Pay Matrix -- Blue-Collar Matrix Type -- Hourly

Grade	$/Hour W/Ins.
~~B1~~	~~8.51~~
~~B2~~	~~8.91~~
~~B3~~	~~9.31~~
~~B4~~	~~9.71~~
~~B5~~	~~10.11~~
~~B6~~	~~10.51~~
~~B7~~	~~10.91~~
~~B8~~	~~11.31~~
~~B9~~	~~11.71~~
~~B10~~	~~12.11~~
~~B11~~	~~12.51~~
~~B12~~	~~12.91~~
~~B00~~	~~13.31~~
B1	9.283
B2	9.683
B3	10.083
B4	10.484
B5	10.884
B6	11.284
B7	11.685
B8	12.085
B9	12.486
B10	12.886
B11	13.286
B12	13.687
B00	14.087

(2) The pay schedule for blue-collar workers for fiscal year ~~1991~~ 1993 is as follows:

Annual Hours -- 2080 Note: With Insurance
Pay Matrix -- Blue-Collar Matrix Type -- Hourly

Grade	$/Hour W/Ins.
~~B1~~	~~8.90~~
~~B2~~	~~9.30~~
~~B3~~	~~9.70~~
~~B4~~	~~10.10~~
~~B5~~	~~10.50~~

~~B6 10.90~~
~~B7 11.30~~
~~B8 11.70~~
~~B9 12.10~~
~~B10 12.50~~
~~B11 12.90~~
~~B12 13.30~~
~~B00 13.70~~

B1	10.085
B2	10.485
B3	10.886
B4	11.287
B5	11.687
B6	12.088
B7	12.489
B8	12.890
B9	13.291
B10	13.691
B11	14.092
B12	14.493
B00	14.893"

Section 8. Section 2-18-703, MCA, is amended to read:

"2-18-703. Contributions. (1) Each agency, as defined in 2-18-601, shall contribute the amount specified in this section towards the group benefits cost.

(2) For employees defined in 2-18-701, other than members of collective bargaining units, and for members of the legislature, the employer contribution for group benefits shall be ~~$130~~ $170 per month for the fiscal year ending June 30, ~~1990~~ 1992, and ~~$150~~ $195 per month for the fiscal year ending June 30, ~~1991~~ 1993, and for each fiscal year thereafter. Permanent part-time, seasonal part-time, and temporary part-time employees who are regularly scheduled to work less than 20 hours a week are not eligible for the group benefit contribution. An employee who elects not to be covered by a state-sponsored group benefit plan may not receive the state contribution as wages. A portion of the employer contribution for group benefits may be applied to an employee's costs for participation in Part B of medicare under Title XVIII of the Social Security Act of 1965, as amended, if the state group benefit plan is the secondary payer and medicare the primary payer.

(3) For employees of elementary and high school districts and of local government units, the employer's premium contributions may exceed but may not be less than $10 per month.

(4) Unused employer contributions for any state employee must be transferred to an account established for this purpose by the department of administration and upon such transfer may be used to offset losses occurring to the group of which the employee is eligible to be a member."

NEW SECTION. Section 9. Appropriation. (1) The following is appropriated from the general fund for the biennium

ending June 30, 1993, to fund the salary, benefit, and insurance costs of [this act]:

(a) $26,615,224 to the office of budget and program planning for the executive branch;

(b) $425,642 to the judicial branch; and

(c) $14,424,284 to the office of the commissioner of higher education.

(2) To implement [this act], the office of budget and program planning shall increase the expenditure authority to the following branches as indicated:

(a) $36,715,001 for the executive branch;

(b) $59,815 for the judicial branch; and

(c) $4,068,388 in current unrestricted funds.

(3) The following money is appropriated to the legislative branch agencies as follows:

	Fiscal 1992		Fiscal 1993	
	General Fund	State Special Revenue	General Fund	State Special Revenue
Legislative Auditor	$ 55,226	$ 61,187	$111,759	$123,815
Legislative Council	62,488	19,182	166,942	21,641
Legislative Fiscal Analyst	31,421		65,633	
Environmental Quality Council	12,076	369	24,410	732
Consumer Counsel	____	7,597	____	15,352
TOTAL	$161,211	$ 88,335	$368,744	$161,540

NEW SECTION. Section 10. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 2, chapter 18, part 2, and the provisions of Title 2, chapter 18, part 2, apply to [section 1].

NEW SECTION. Section 11. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 746, second reading copy, do pass. Report adopted.
HB 978, second reading copy, do pass. Report adopted.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):
3/27/91

HB 196, introduced bill, be amended as follows:

1. Title, line 5.
Following: "MONTANA"
Insert: "LEGISLATIVE"

Following: "COMMISSION;"
Insert: "TO EMPOWER THE COMMISSION TO STUDY THE POTENTIAL FOR ADDING VALUE TO MONTANA PRODUCTS; TO REQUIRE A REPORT TO THE 53RD LEGISLATURE; TO PROVIDE AN APPROPRIATION AND AUTHORIZATION FOR EXPENDITURE CONTINGENT ON PRIVATE CONTRIBUTIONS;"

Title, line 5.
Strike: "AN"

2. Title, line 6.
Strike: "DATE"
Insert: "DATES AND A TERMINATION DATE"

3. Page 1, line 15.
Following: line 14
Insert: "NEW SECTION. Section 1. Definition. As used in [sections 1 through 3], unless the context clearly requires otherwise, "commission" means the Montana legislative value-added commission established in [section 2]."
Renumber: subsequent sections

4. Page 1, line 15.
Following: "Montana"
Insert: "legislative"

5. Page 1, lines 17 and 18.
Following: "Montana"
Insert: "legislative"
Strike: "within the department of commerce"

6. Page 1, line 19.
Strike: "10"
Insert: "15"

7. Page 1, line 20.
Strike: "nine members appointed"
Insert: "one member"
Following: "from"
Insert: "each of"

8. Page 2, line 1.
Following: "sheep;"
Insert: "and"

9. Page 2, lines 3 through 5.
Strike: subsections (vii) through (ix) in their entirety

10. Page 2, line 6.
Strike: "appointed"
Insert: "from the governor's nominees"

11. Page 2, line 7.

Strike: "."
Insert: ";"

12. Page 2, line 8.
Strike: "The director of"
Insert: "one member specializing in economic development from"

13. Page 2, lines 8 through 12.
Following: "commerce" on line 8
Strike: remainder of line 8 through "commission." on line 12
Insert: "nominated by the governor;"

14. Page 2, lines 13 through page 3, line 20.
Strike: page 2, line 13 through page 3, line 20 in their entirety
Insert: "(d) two members representing and nominated by statewide labor organizations as defined in 49-2-101;

(e) one member representing and nominated by statewide environmental organizations; and

(f) four members of the legislature, including:

(i) two members of the house of representatives, including one member of each party, appointed by the speaker of the house; and

(ii) two members of the senate, including one member of each party, appointed by the president of the senate.

(3) The speaker of the house, the president of the senate, the minority leader of the house, and the minority leader of the senate shall jointly appoint the members of the commission provided for in subsections (2)(a) through (2)(e).

(4) The commission shall identify and study principal value-added opportunities in the industries identified in subsection (2)(a) and shall develop a strategy for encouraging the development of new and expanding industries.

(5) Members of the commission shall select a chairman and a vice chairman from their membership. The commission shall meet at the call of the chairman or as a majority of the members determine.

(6) A vacancy on the commission must be filled in the same manner as the original appointment.

(7) The commission shall submit in writing to the 53rd legislature a final report with recommendations and any proposed legislation necessary to implement the recommendations.

(8) The members of the commission are entitled to compensation and reimbursement in the manner and amount provided in 5-2-302.

NEW SECTION. Section 3. Staff assistance -- commission support. (1) The legislative council shall provide staff assistance to the commission.

(2) The office of the governor, the department of administration, the department of commerce, the department of highways, the department of revenue, the public service commission, the Montana university system, and any other agency concerned with economic research and economic development shall

assist and cooperate with the commission as may be required for the commission to carry out its duties.

(3) The commission may contract for services necessary to complete its duties under [section 2] within the limits of the appropriation and the expenditure authority provided in [section 4].

NEW SECTION. Section 4. Appropriation -- expenditure authority contingent on private contributions -- refund of unexpended contributions. (1) There is appropriated to the legislative council from the general fund $10,000 to be expended as provided in subsections (2) and (3) to support the activities of the Montana legislative value-added commission during the biennium ending June 30, 1993.

(2) The legislative council may disburse the money appropriated in subsection (1) only if there is deposited in an account in the state special revenue fund to the credit of the commission before July 1, 1991:

(a) matching contributions of $10,000 provided by each of the private sources identified in [subsections (2)(a), (2)(d), and (2)(e) of section 2]; and

(b) cumulative private contributions totaling five times the general fund appropriation in subsection (1).

(3) Money from the general fund appropriation in subsection (1) may be expended only if accompanied by an expenditure for the same purpose five times as large from the account established in subsection (2).

(4) An unexpended and unobligated balance on July 1, 1993, in the account established in subsection (2) must be refunded to the contributors of record in amounts in direct proportion to the amounts contributed by each.

NEW SECTION. Section 5. Coordination instruction. If Senate Bill No. 164 is passed and approved and if it contains provisions including the department of highways within a department of transportation, the code commissioner is instructed to change "department of highways" in [section 3] to "department of transportation"."

Renumber: subsequent section

15. Page 3, line 21.
Strike: "date"
Insert: "dates -- termination"
Strike: "[This act] is"
Insert: "(1) [Sections 1 through 3, 5, and this section] are"

16. Page 3, line 23.
Following: line 22
Insert: "(2) [Section 4] is effective July 1, 1991.

(3) Except for the provisions of [section 4(4)], [this act] terminates July 1, 1993."

And, as amended, do pass. Report adopted.

TAXATION (Harrington, Chairman): 3/27/91
HB 147, introduced bill, be amended as follows:

1. Title, line 4.
Strike: "IMPOSING A"
Insert: "ALLOWING A LOCAL OPTION"

2. Title, line 6.
Following: ";"
Insert: "AND"

3. Title, line 7.
Following: "15-7-303,"
Insert: "AND"
Strike: "15-7-306,"

4. Title, line 8.
Strike: "15-7- 307, AND 15-7-310,"

5. Title, lines 8 and 9.
Strike: "; REPEALING SECTION 15-7-311, MCA; AND PROVIDING AN EFFECTIVE DATE"

6. Page 1, line 17.
Strike: "impose a"
Insert: "allow a local option"

7. Page 2.
Following: line 1
Insert: "(1) "Assessed value" means the value that is determined for tax assessment purposes and that is shown on the records of the county assessor at the time of the transfer, even though it may be subsequently adjusted. If no value is available from the assessor, the assessed value for this tax is an amount equal to "value", as defined in subsection (6)."
Renumber: subsequent subsections

8. Page 2, line 16 through page 3, line 3.
Strike: ":" on page 2, line 16 through "conditions." on page 3, line 3
Insert: "the amount of the full actual consideration paid or to be paid for the property, including the amount of any lien or liens."

9. Page 3, line 13.
Strike: "8]"
Insert: "6]"

10. Page 4, line 1 through page 6, line 15.
Strike: sections 5 through 9 in their entirety
Insert: "Section 5. Section 15-7-310, MCA, is amended to read:

"15-7-310. ~~Penalty~~ Violation. A person ~~convicted of violating any provision of this part shall be fined not to exceed $500 or be imprisoned in the county jail for any term not to exceed 6 months, or both~~ who knowingly claims an exemption under 15-7-

307 or [section 9] that he does not believe to be true commits the offense of unsworn falsification to authorities under 45-7-203."

NEW SECTION. Section 6. Imposition of local option transfer tax. A county or incorporated municipality may impose a local transfer tax on all transfers of interest in real property, except those exempted in [section 9].

NEW SECTION. Section 7. Amount of tax -- lien. The transfer tax is imposed upon the transfer at the rate of $1 for each $1,000 of assessed value or fraction thereof as certified by the county assessor as of the date of the transfer of title. The transferee is liable for the tax and shall either pay the tax or apply for an exemption. The tax is a lien against the transferred property and may be collected and enforced in the same manner as other tax liens on real property are enforced, including the imposition of penalties and interest.

NEW SECTION. Section 8. Adoption of ordinance -- hearing -- procedures. (1) The governing body of a county or an incorporated municipality may impose the local option transfer tax by ordinance. The adoption, amendment, and repeal of the ordinance must be conducted pursuant to Title 7, chapter 5, part 1, after a public hearing on the action is conducted in which notice of the hearing is given as provided in 7-1-4128.

(2) The ordinance must establish procedures necessary to administer the tax, including refunds, delinquency collections, exemptions, and filing of notice of lien.

NEW SECTION. Section 9. Exemptions from tax -- application under oath. (1) The following are exempt from the transfer tax:

(a) an instrument recorded prior to December 31, 1991;

(b) a transfer made solely to provide or release security for a debt or obligation;

(c) a transfer to the United States of America, the state, or any instrumentality, agency, or subdivision of the state;

(d) an instrument that, without added consideration, confirms, corrects, modifies, or supplements a previously recorded instrument;

(e) a transfer made pursuant to a court decree of partition;

(f) a transfer made pursuant to a merger, consolidation, or other reorganization of a corporation, partnership, or other business entity;

(g) a transfer by a subsidiary corporation to its parent without actual consideration or in sole consideration of the cancellation or surrender of subsidiary stock;

(h) a transfer of a decedent's estate when the recipient of the property is the surviving spouse, child, or lineal descendant of the decedent;

(i) an instrument that, in effect, transfers the property to the same party or parties; and

(j) a sale for delinquent taxes, delinquent assessments, or a bankruptcy action.

(2) The transferee may apply for an exemption from the tax by submitting, under oath, a written application to the county clerk on a form to be provided by the governing body. The clerk shall grant the exemption after being satisfied on the basis of the application that the transfer is exempt under the provisions of subsection (1)."

11. Page 6, line 17.
Strike: "section 9"
Insert: "sections 6 through 9"

12. Page 7, lines 8 and 9.
Strike: section 11 in its entirety
Renumber: subsequent sections

13. Page 7, line 11.
Strike: "8"
Insert: "6"

14. Page 7, line 14.
Strike: "8"
Insert: "6"

15. Page 7, lines 15 and 16.
Strike: section 13 in its entirety

And, as amended, do pass. Report adopted.

HB 340, introduced bill, be amended as follows:

1. Title, line 8.
Strike: "5"
Insert: "15"

2. Page 4, line 22.
Strike: "5"
Insert: "15"

3. Page 10, line 9.
Strike: "3.84%"
Insert: "4%"

4. Page 13, line 2.
Strike: "3.84%/B"
Insert: "4%/B"

5. Page 22, line 7.
Strike: "1990"
Insert: "1994"

6. Page 25, line 7.

Strike: "December 31"
Insert: "June 30"

7. Page 27, line 15.
Following: "Termination"
Insert: "-- contingent termination"
Following: "."
Insert: "(1) Unless terminated earlier pursuant to subsection (2),"
Strike: "Section"
Insert: "section"

8. Page 27, line 16.
Strike: "January 1, 1994"
Insert: "July 1, 1993"

9. Page 27.
Following: line 16
Insert: "(2) [Section 6 and section 10(6)(d)] terminate on April 1, 1992, unless prior to that time, the director of revenue certifies to the revenue oversight committee that the department of revenue has begun the forest lands valuation process set forth in [section 3], including having entered into a contract with the university of Montana for the provision of information and data. Upon receipt of the certification, the chairman of the revenue oversight committee shall provide a copy of the document to the secretary of state."

Grazing Lands

10. Title, lines 15 through 17.
Strike: "PROVIDING" on line 15 through "VALUE;" on line 17

11. Page 13, lines 20 through 24.
Strike: subsection (5) in its entirety

And, as amended, do pass. Report adopted.

HB 452, introduced bill, be amended as follows:

1. Title, lines 4 and 5.
Strike: "5-YEAR PROPERTY TAX EXEMPTION"
Insert: "7-YEAR TAXABLE VALUE DECREASE"

2. Title, line 5.
Strike: "PROPERTY"
Insert: "MACHINERY AND EQUIPMENT"
Strike: "NEW AND"

3. Title, lines 9 and 10.
Strike: "PROVIDING" on line 9 through "MCA;" on line 10

4. Title, line 10.
Strike: "A DELAYED"

Insert: "AN IMMEDIATE"

5. Title, line 11.
Following: "DATE"
Insert: "AND AN APPLICABILITY DATE"

6. Page 1, line 19 through page 2, line 8.
Strike: "(1)" on page 1, line 19 through "exemption." on page 2, line 8.
Insert: "(1) guidelines for information that must be contained in the application for taxable value decrease;

(2) the forms to be used by a firm to apply for the taxable value decrease and to report employment associated with the use of qualifying property;

(3) the procedures to ensure that a taxpayer receiving a taxable value decrease under this bill does not receive any other property tax reduction for qualifying property;

(4) the definition of terms and establishment of procedures that are appropriate for the efficient administration of the taxable value decrease;

(5) procedures for the annual recomputation of numbers of existing employees and numbers of new employees;

(6) criteria the department intends to use to safeguard the faithful reporting of existing and new employees to deter taxpayers from using temporary measures or other artifices to deflate the number of existing employees or inflate the number of new employees contrary to the spirit of the program; and

(7) procedures for the department to review the specific responsibilities of each new employee to ensure that the employee is a qualifying employee."

7. Page 2, line 11 through page 11, line 3.
Strike: everything following the enacting clause
Insert: "NEW SECTION. Section 1. Purpose. The purpose of [sections 1 through 5] is to encourage value-added manufacturing in Montana by providing a taxable value decrease for a 7-year period for qualifying personal property of expanding industries that process Montana raw materials or use Montana semifinished products in manufacturing.

NEW SECTION. Section 2. Definitions. Unless the context requires otherwise, in [sections 1 through 5], the following definitions apply:

(1) "Expansion" means that after January 1, 1992, the industry has added qualifying property within the jurisdiction either in the first tax year in which the taxable value decrease provided for in [section 3] is to be received or in the preceding tax year. Expansion does not include property that:

(a) has qualified for the tax exemption under 15-24-1402; or

(b) will create an adverse impact on existing state, county, or municipal services.

(2) "Industry" is a firm that engages in the mechanical or chemical transformation of materials or substances into new

products in the manner defined as manufacturing in the 1987 Standard Industrial Classification Manual prepared by the United States office of management and budget and that engages in the:

(a) processing of Montana raw materials such as minerals, ore, oil, gas, coal, agricultural products, and forestry products; or

(b) processing of semifinished products produced in Montana that are used by the industry as a raw material in further manufacturing.

(3) "Qualifying employee" means a person:

(a) whose job was created as a result of expansion; and

(b) whose position pays not less than three-quarters of the amount of the average wage as determined by the quarterly statistical report published by the department of labor and industry.

(4) "Qualifying property" means machinery and equipment that results in the hiring of qualifying employees used for the manufacture or processing of products described in subsection (2).

NEW SECTION. Section 3. Expanding industry taxable value decrease -- application -- approval -- reports. (1) After January 1, 1992, an existing industry with qualifying property that represents an expansion of the industry is entitled to receive a decrease in the tax rate for class eight property if the property results in the hiring of full-time qualifying employees for each year in which the taxable value decrease is in effect.

(2) A person, firm, or other group seeking to qualify its property for the taxable value decrease under subsection (1) shall apply to the department of revenue on a form provided by the department. The application must include:

(a) the description of the personal property that may qualify for the taxable value decrease;

(b) the date on which the qualifying property is intended to be operational;

(c) the rate of pay and number of existing employees and new employees to be used in the operation of the qualifying property;

(d) a statement that the new employees are in addition to the existing workforce of the industry and the specific responsibilities of each new employee; and

(e) a statement that all the applicant's taxes are paid in full.

(3) The department shall make an initial determination as to whether the industry qualifies for the taxable value decrease.

(4) (a) If the department determines that the property qualifies for a taxable value decrease, the governing body of the affected county or the incorporated city or town shall give due notice as defined in 76-15-103 and hold a public hearing. The governing body may either approve or disapprove the grant of taxable value decrease. The governing body may not grant approval for the project until all of the applicant's taxes have been paid in full. Taxes paid under protest do not preclude approval.

(b) The resolution provided for in subsection (4)(a) must include the document that grants approval of the application that was submitted to the department by the taxpayer seeking the taxable value decrease.

(5) The tax reduction described in subsection (1) applies to:

(a) the number of mills levied and assessed for local high school district and elementary school district purposes:

(b) the number of mills levied and assessed by the governing body approving the benefit over which the governing body has sole discretion; and

(c) statewide levies.

(6) The number of new employees used by the department to calculate the taxable value decrease in subsection (7), must be determined by the wages paid to qualifying employees. A qualifying employee paid the amount of the average wage as determined by the quarterly statistical report published by the department of labor and industry is considered one new employee. Qualifying employees are considered equivalent new employees if they are paid three-quarters of the average wage or more. The qualifying employee is the equivalent of a new employee in the same fraction that his wages are to the average wage, but a qualifying employee may not be considered more than two new employees.

(7) (a) Qualifying property is entitled to a decrease in the taxable rate of class eight property based upon a percentage difference between a possible low rate of 3% and a high rate of the existing class eight property tax rate. The reduced taxable value rate is determined by calculating the inverse of the number of equivalent new employees divided by the number of existing employees and multiplying the product of that calculation by the decimal equivalent of the tax rate for class eight property.

(b) For each year that the taxable value decrease is in effect, the taxpayer shall report by March 1 to the department on forms prescribed by the department the wages of and the number of qualifying employees that are used in the operation of the qualifying property for which the taxable value decrease was granted.

NEW SECTION. Section 4. Exclusion from other property tax reductions or exemptions. If a taxable value decrease is taken pursuant to [sections 1 through 5], other property tax reductions or exemptions, including but not limited to those provided in 15-6-135, 15-24-1402, and 15-24-1501, are not allowed for the qualifying property.

NEW SECTION. Section 5. Rules. The department of revenue shall prescribe rules necessary to carry out the purposes of [sections 1 through 5].

NEW SECTION. Section 6. Codification instruction. [Sections 1 through 5] are intended to be codified as an integral part of Title 15, chapter 24, and the provisions of Title 15, chapter 24, apply to [sections 1 through 5].

NEW SECTION. Section 7. Effective date -- applicability. [This act] is effective on passage and approval and applies to tax years beginning after December 31, 1991."

And, as amended, do pass. Report adopted.

HB 753, introduced bill, be amended as follows:

1. Title, line 6.
Following: "PROPERTY"
Insert: "DETERMINED BY THE DEPARTMENT OF REVENUE TO QUALIFY FOR EXEMPTION"

2. Page 1, line 17.
Following: line 16
Insert: "(2) If the department of revenue makes an initial determination that the business incubator qualifies for the property tax exemption, it shall publish notice of and hold a public hearing to determine whether the property should be exempt from taxation.

(3) (a) For a taxpayer to receive the tax exemption described in subsection (1), the governing body of the affected incorporated city or town or consolidated government, following the public hearing provided for in subsection (2), shall give due notice, as defined in 76-15-103, and hold a public hearing. The governing body may approve or disapprove the tax exemption provided for in subsection (1). If approved, the governing body must do so by a separate resolution for each business incubator in its respective jurisdiction. The governing body may not grant approval for the business incubator until all of the applicant's taxes have been paid in full. Taxes paid under protest do not preclude approval.

(b) The resolution provided for in subsection (3)(a) must include the application submitted to the department by the taxpayer seeking the exemption.

(c) Upon receipt of approval of the governing body of the affected taxing jurisdiction, the assessor shall make the assessment change for the tax exemption provided for in this section."
Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

HB 781, introduced bill, be amended as follows:

1. Title, line 13.
Strike: "IMMEDIATE"

2. Page 1, line 22.
Following: "with the"
Insert: "development and"

3. Page 1, line 23.
Strike: "all"
Insert: "an"

Strike: "permits"
Insert: "permitting program"

4. Page 2, line 3.
Following: "permits"
Insert: "and permitting activities"

5. Page 2, line 5.
Strike: "to"
Insert: ". This may result in fees for"
Following: "sources"
Insert: "according to the type or amount of emissions or the type of source"

6. Page 2, lines 6 and 7.
Strike: "permit implementation and enforcement"
Insert: "the development and administration of a permitting program"

7. Page 2, line 10.
Following: "appropriate."
Insert: "The board's rules defining the fee structure to be used by the department shall ensure that the fees charged will not collect, in the aggregate, more than is authorized and appropriated by the legislature to the department for the development and administration of the permitting program."

8. Page 2, line 15.
Strike: "and not otherwise exempted"
Following: "permit"
Insert: ", including those sources that are "grandfathered" under current air quality regulations. Reasonable exemptions from this requirement may be approved by the board and implemented based upon the size or nature of the source or its emissions"

9. Page 2, lines 16 through 21.
Strike: "This" on line 16 through "renewal." on line 21

10. Page 2.
Following: line 21
Insert: "For sources of air contaminants that are subject to Title V of the federal Clean Air Act, 42 U.S.C. 7401, et seq., as amended, the board may provide for the expiration and renewal of permits issued to those sources, as necessary to meet the requirements of Title V. To provide for the orderly transition to Title V permits for both current permitholders and grandfathered sources, the board shall establish a transition schedule. The transition schedule may not specify dates for obtaining Title V permits that are earlier than the times contained in the Act."

11. Page 4, lines 4 through 8.
Strike: "A" on line 4 through "1991." on line 8
Insert: "For all sources of air contaminants that are subject to the provisions of Title V of the federal Clean Air Act, 42 U.S.C. 7401,

et seq., as amended, the provisions of this section apply in addition to the other applicable provisions of this chapter.

(a) The board shall by rule require that permits issued to sources described in subsection (2) be of limited duration, but it may not limit the duration of the permits beyond that required by the federal Clean Air Act, 42 U.S.C. 7401, et seq., as amended.

(b) The board shall by rule provide for the renewal of permits issued to the sources.

(c) The board shall by rule establish a transition schedule for air quality permits held by sources of air contaminants subject to the provisions of subsection (2). The transition schedule must specify dates for the expiration of the permits, absent an application for renewal by the source. The transition schedule may not specify expiration dates that are earlier in time than those required by Title V of the federal Clean Air Act, 42 U.S.C. 7401, et seq., as amended. The transition schedule established by the board also applies to existing sources of air contaminants that are subject to the provisions of Title V of the federal Clean Air Act, 42 U.S.C. 7401, et seq., as amended, and that do not hold an air quality permit from the department as of November 2, 1992."

12. Page 4, lines 9 and 10.
Following: "construction"
Insert: ","
Strike: "begins, not later than 120 days before"
Following: "installation"
Insert: ","

13. Page 4, line 11.
Following: "begins"
Strike: "."

14. Page 5, lines 3 through 7.
Strike: subsection (4) in its entirety
Renumber: subsequent subsections

15. Page 5, line 11.
Following: "cover"
Insert: "the reasonable costs, both direct and indirect, of developing and administering the permitting requirements in this chapter, including the reasonable costs of"

16. Page 5, line 12.
Strike: "the reasonable costs of"

17. Page 5, line 13.
Strike: "and"

18. Page 5, line 14.
Strike: "the reasonable costs of"

19. Page 5.
Following: line 19

Insert: "(c) emissions and ambient monitoring;
(d) preparing generally applicable regulations or guidance;
(e) modeling, analysis, and demonstrations; and
(f) preparing inventories and tracking emissions."

20. Page 5, line 24.
Strike: "(5)(b)"
Insert: "(4)"

21. Page 5.
Following: line 24
Insert: "(6) For any existing source of air contaminants that is subject to Title V of the federal Clean Air Act, 42 U.S.C. 7401, et seq., as amended, and that is not required to hold an air quality permit from the department as of October 1, 1991, the board may, as a condition of continued operation, require by rule that the owner or operator of the source pay the annual fee provided for in subsection (4). Nothing in this subsection may be construed as allowing the department to charge any source of air contaminants more than one annual fee that is designed to cover the costs identified in subsection (4)."
Renumber: subsequent subsections

22. Page 6, line 3.
Following: "for"
Insert: "the development and"
Strike: "75-2-215 and this section"
Insert: "the permitting requirements in this chapter"

23. Page 6.
Following: line 3
Insert: "(8) (a) The department shall give written notice of the amount of the fee to be assessed and the basis for the department's fee assessment under this section to the owner or operator of the air contaminant source. The owner or operator may appeal the department's fee assessment to the board within 20 days after receipt of the written notice.

(b) An appeal must be based upon the allegation that the fee assessment is erroneous or excessive. An appeal may not be based only on the amount of the fee schedule adopted by the board.

(c) If any part of the fee assessment is not appealed, it must be paid to the department upon receipt of the notice in subsection (8)(a).

(d) The contested case provisions of the Montana Administrative Procedure Act provided for in Title 2, chapter 4, apply to any hearing before the board under this subsection (8)."
Renumber: subsequent subsections

24. Page 6, line 16.
Strike: "(10)"
Insert: "(11)"

25. Page 7, line 4.
Strike: "(11)"
Insert: "(12)"

26. Page 7, line 15.
Strike: "(11)"
Insert: "(12)"

27. Page 8, line 9.
Strike: "(6)"
Insert: "(5)"

28. Page 8, line 13.
Strike: "this act"
Insert: "those subsections"

29. Page 8, line 14.
Strike: "Subsection 3"
Insert: "Subsections (2), (3), and (6)"
Strike: "applies"
Insert: "apply"

30. Page 8, line 16.
Strike: "that section"
Insert: "those subsections"
Strike: "currently"

31. Page 8, line 18.
Following: "chapter 2"
Insert: ", as of [the effective dates of those subsections]"

32. Page 8, line 19.
Following: "date"
Insert: "-- rulemaking authority"

33. Page 8, lines 19 and 20.
Strike: "[This act] is effective on passage and approval."
Insert: "(1) [Section 1, subsections (1) and (3) through (15) of section 2, section 3, and this section] are effective October 1, 1991, but the department may proceed with the rulemaking process under Title 2, chapter 4, prior to that date. The effective date of any rule adopted to implement those parts of [this act] may be effective no earlier than October 1, 1991.

(2) [Subsection (2) of section 2] is effective November 1, 1992, but the department may proceed with the rulemaking process under Title 2, chapter 4, prior to that date. The effective date of any rule adopted to implement those parts of [this act] may be effective no earlier than November 1, 1992."

And, as amended, do pass. Report adopted.

HB 787, introduced bill, be amended as follows:

1. Title, line 6.
Following: "PROPERTY"
Insert: "DETERMINED BY THE DEPARTMENT OF REVENUE TO QUALIFY FOR EXEMPTION"

2. Page 1, line 17.
Following: line 16
Insert: "(2) If the department of revenue makes an initial determination that the industrial park qualifies for the property tax exemption, it shall publish notice of and hold a public hearing to determine whether the property should be exempt from taxation.

(3) (a) For a taxpayer to receive the tax exemption described in subsection (1), the governing body of the affected incorporated city or town or consolidated government, following the public hearing provided for in subsection (2), shall give due notice, as defined in 76-15-103, and hold a public hearing. The governing body may approve or disapprove the tax exemption provided for in subsection (1). If approved, the governing body must do so by a separate resolution for each industrial park in its respective jurisdiction. The governing body may not grant approval for the industrial park until all of the applicant's taxes have been paid in full. Taxes paid under protest do not preclude approval.

(b) The resolution provided for in subsection (3)(a) must include the application submitted to the department by the taxpayer seeking the exemption.

(c) Upon receipt of approval of the governing body of the affected taxing jurisdiction, the assessor shall make the assessment change for the tax exemption provided for in this section."
Renumber: subsequent subsections

3. Page 3, line 1.
Following: "."
Insert: "[Upon termination of the exemption, the property must be assessed as provided in [section 1 of House Bill No. 757].]"

4. Page 3.
Following: line 1
Insert: "NEW SECTION. Section 2. Coordination instruction. If House Bill No. 757 is not passed and approved, the bracketed sentence in 15-24-1902(5) amended in section 1 is void."
Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 914, introduced bill, be amended as follows:

1. Page 1, line 22.
Following: line 21
Insert: "(2) If the department of revenue makes an initial determination that the building and land qualifies for the property tax exemption,

it shall publish notice of and hold a public hearing to determine whether the property should be exempt from taxation.

(3) (a) For a taxpayer to receive the tax exemption described in subsection (1), the governing body of the affected incorporated city or town, county, or consolidated government, following the public hearing provided for in subsection (2), shall give due notice, as defined in 76-15-103, and hold a public hearing. The governing body may approve or disapprove the tax exemption provided for in subsection (1). If approved, the governing body must do so by a separate resolution. The governing body may not grant approval for the building and land until all of the applicant's taxes have been paid in full. Taxes paid under protest do not preclude approval.

(b) The resolution provided for in subsection (3)(a) must include the application submitted to the department by the taxpayer seeking the exemption.

(c) Upon receipt of approval of the governing body of the affected taxing jurisdiction, the assessor shall make the assessment change for the tax exemption provided for in this section."

Renumber: subsequent subsection

2. Page 3, line 10.
Following: "."
Insert: "[Upon termination of the exemption, the property must be assessed as provided in [section 1 of House Bill No. 757].]"

3. Page 3, line 15.
Insert: "NEW SECTION. Section 4. Coordination instruction. If House Bill No. 757 is not passed and approved, the bracketed sentence in [section 2(4) of this act] is void."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

March 27, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 63, 105, 120, 166, 411, 424, 537, 610, 774, 779, 918 and 941 on March 27, 1991.

Sincerely,

STAN STEPHENS
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 1011, introduced by Cohen, referred to Committee on Taxation
HB 1012, introduced by Elliott (by request of the House Taxation Committee), referred to Committee on Taxation
HJR 49, introduced by Toole, Dowell, Forrester, Wyatt, Kilpatrick, Southworth, Davis, Clark, Cocchiarella, referred to Committee on Education and Cultural Resources

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Harrington in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 803 - Representative Menahan moved HB 803 do pass. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Foster, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Menahan, Mercer, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Toole, Wallin, Wanzenried, Whalen, Wyatt.
Total 55

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cohen, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Measure, Messmore, T. Nelson, Peck, Peterson, Phillips, Simpkins, Steppler, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 39

Excused: D. Brown, Strizich, Mr. Speaker.
Total 3

Absent or not voting: Bardanouve, Gould, Grady.
Total 3

HB 520 - Representative Cocchiarella moved HB 520 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily,

Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Thomas, Toole, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 80

Noes: Barnett, Benedict, Bergsagel, Boharski, R. DeBruycker, Ellison, Feland, Gilbert, Hayne, Kasten, Lee, Peterson, Steppler, Swysgood, Thoft, Tunby, Wallin.
Total 17

Excused: D. Brown, Strizich.
Total 2

Absent or not voting: Gould.
Total 1

HB 514 - Representative Driscoll moved consideration of HB 514 be placed below HB 9 on the second reading board. Motion carried.

HB 6 - Representative Connelly moved HB 6, second reading copy, be amended as follows (amendment #1):

1. Page 5, line 16.
Strike: "7,500" in right column.
Insert: "7,500" in left column.

2. Page 14, line 24.
Following: "DELETED."
Strike: "FURTHER, THE ADDITIONAL"
Insert: "Additional"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: D. Brown, J. Rice, Strizich.
Total 3

Absent or not voting: Ellison, Gilbert, Gould, S. J. Hansen, Kadas, Squires.
Total 6

Representative Connelly moved HB 6, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Driscoll, Gilbert, McCaffree, Raney.
Total 4

Excused: J. Rice.
Total 1

Absent or not voting: Grinde.
Total 1

HB 7 - Representative Connelly moved consideration of HB 7 be placed below HB 514 on the second reading board. Motion carried.

HB 8 - Representative Connelly moved HB 8, second reading copy, be amended as follows (amendment #1):

1. Page 3, line 11.
Following: "UNIVERSITY"
Insert: ","

2. Page 5, line 7.
Strike: "MSU"
Insert: "Montana State University"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: J. Rice.
Total 1

Absent or not voting: None.
Total 0

Representative Connelly moved HB 8, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Bergsagel, Cohen, Gilbert, McCaffree, Measure, Peck, Peterson.
Total 7

Excused: J. Rice.
Total 1

Absent or not voting: None.
Total 0

HB 9 - Representative Connelly moved HB 9 do pass.

Representative Lee made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Lee moved HB 9, second reading copy, be amended as follows (amendment #1):

1. Page 8, line 9.
Following: line 8
Insert: "Big Fork Village Art and Cultural Center Regional Wood Art Show 1,000"

Amendment #1 passed as follows:

Ayes: Bardanouve, Barnett, Beck, Becker, Benedict, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, S. Rice, Schye, Simpkins, Spring, Squires, Stickney, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 76

Noes: Barnhart, Brooke, Cohen, Elliott, Gilbert, O'Keefe, Peck, Scott, Southworth, Stang, Steppler, Swysgood.
Total 12

Excused: J. Rice.
Total 1

Absent or not voting: Bachini, Bergsagel, Driscoll, Feland, Grinde, Harrington, Kadas, Ream, Russell, Strizich, Wanzenried.
Total 11

Representative Connelly moved HB 9, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang,

Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Driscoll, Gilbert, S. J. Hansen, McCaffree, Peck, Phillips.
Total 6

Excused: J. Rice.
Total 1

Absent or not voting: None.
Total 0

HB 514 - Representative Menahan moved HB 514 do pass.

Representative Cocchiarella made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Cocchiarella moved HB 514, second reading copy, be amended as follows (amendment #1):

1. Amend the House Committee on Appropriations amendments dated March 26, 1991, as follows:

Strike: amendments 1 through 3 in their entirety

Amendment #1 passed as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 65

Noes: Bachini, Bardanouve, Benedict, Bergsagel, Boharski, Cody, J. DeBruycker, Ellis, Ellison, Fagg, Feland, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Knox, Lee, Mercer, L. Nelson, Peck, Phillips, Scott, Steppler, Swysgood, Thoft, Thomas, Tunby, Mr. Speaker.
Total 35

Voted Absentee: D. Brown, J. Rice, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Bradley moved HB 514, second reading copy, be further amended (amendment #2). Amendment #2 failed as follows: (32-67)

Representative Stickney moved HB 514, second reading copy, be further amended as follows (amendment #3):

1. Page 4, lines 24 and 25.
Following: "~~1990.~~"
Strike: remainder of line 24 through "1991." on line 25
Insert: "Each teacher must be placed on the adopted pay schedule according to his educational training and years of experience."

2. Page 5, lines 1 through 3.
Following: "(III)" on line 1
Strike: remainder of line 1 through "1992." on line 3
Insert: "On the first day of the first pay period in July of each fiscal year, each teacher shall advance one step on the appropriate pay schedule adopted in 2-18-313."

3. Page 14, line 5.
Strike: "1480"
Insert: "1560"

4. Page 16, line 23.
Strike: "1480"
Insert: "1560"

5. Page 23, line 17 through page 24, line 2.
Following: "Appropriation." on page 23, line 24
Strike: the remainder of section 8 through page 24, line 9 in its entirety
Insert: [New language will be developed by the legislative fiscal analyst to provide the appropriate general fund and special fund appropriations and expenditure authority to implement the effects of these amendments.]

Amendment #3 passed as follows:

Ayes: Barnhart, Beck, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, R. DeBruycker, Dowell, Driscoll, Elliott, Forrester, Foster, Galvin, Gervais, Grady, S. J. Hansen, M. Hanson, Harrington, R. Johnson, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Whalen, Wyatt, Zook, Mr. Speaker.
Total 55

Noes: Bachini, Bardanouve, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cromley, J. DeBruycker, Dolezal, Ellis, Ellison, Fagg, Feland, Gilbert, Gould, Grinde, H. S. Hanson, Hoffman, J. Johnson, Kadas, Kasten, Keller, Knox, Lee, McCaffree, Measure, Mercer, T. Nelson, Peck, Peterson, Phillips,

Quilici, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried.
Total 42

Voted Absentee: Darko, J. Rice, Ayes; Measure, No.

Excused: Becker, D. Brown.
Total 2

Absent or not voting: Hayne.
Total 1

Representative Kadas moved HB 514, second reading copy, be further amended (amendment #4). Amendment #4 failed as follows: (41-55)

Representative Beck moved HB 514, second reading copy, be further amended (amendment #5). Amendment #5 failed as follows: (35-63)

Representative Driscoll moved HB 514, second reading copy, be further amended (amendment #6). Amendment #6 failed as follows: (44-53)

Representative Menahan moved HB 514, as amended, do pass. Motion carried as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 62

Noes: Bachini, Bardanouve, Benedict, Bergsagel, Boharski, Cobb, Cody, J. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Lee, Measure, Mercer, L. Nelson, Peck, Peterson, Phillips, Simpkins, Steppler, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 38

Voted Absentee: Becker, S. J. Hansen, J. Rice, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 7 - Representative Connelly moved HB 7, second reading copy, be amended as follows (amendment #1):

1. Page 5, line 25.

Strike: "$7,925,583"
Insert: "$7,975,583"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bergsagel, Gilbert, Peck.
Total 3

Voted Absentee: Becker, Aye.

Excused: J. Rice.
Total 1

Absent or not voting: Ellison, Phillips.
Total 2

Representative Connelly moved HB 7, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Gilbert, McCaffree, Peck.
Total 3

Voted Absentee: Becker, Aye.

Excused: J. Rice.
Total 1

Absent or not voting: None.
Total 0

HB 10 - Representative Bardanouve moved HB 10 do pass.

Representative Kadas made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Kadas moved HB 10, second reading copy, be amended as follows (amendment #1):

1. Page 7, line 7.
Following: "SHALL"
Strike: "ALSO PROVIDE"
Insert: "allow grant funds not used by the local government entity to develop the local government retrofit program to be used to support"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Cody, Measure.
Total 2

Excused: Becker, J. Rice.
Total 2

Absent or not voting: S. Rice, Scott.
Total 2

Representative Bardanouve moved HB 10, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J.

DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Gilbert, Measure.
Total 2

Voted Absentee: Becker, Aye.

Excused: J. Rice.
Total 1

Absent or not voting: McCaffree, Messmore, Phillips, Scott.
Total 4

Representative Driscoll moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Harrington moved the adoption of the committee report. Report adopted. (64-28)

Representative Driscoll moved the House recess until 5:30 p.m. Motion carried.

House recessed at 4:00 p.m.

House reconvened at 6:10 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/27/91
Correctly printed: HB 746, HB 753, HB 978.
Signed by the Speaker at 5:10 p.m., 3/27/91: HB 76, HB 333, HB 407, HB 421, HB 530, HB 816, HB 957, SB 252, SB 297, SB 298, SB 322, SB 383.
Delivered to the Governor for his approval at 4:55 p.m., 3/27/91: HB 111, HB 161, HB 203, HB 290, HB 311, HB 356, HB 471, HB 504, HB 588, HB 712, HB 771, HB 829, HB 938.

APPROPRIATIONS (Bardanouve, Chairman): 3/27/91
HB 5, introduced bill, be amended as follows:

1. Page 1, lines 12 and 24.
Page 11, line 19.
Page 12, lines 3 and 4.
Strike: "19"
Insert: "17"

2. Page 3, line 8.
Strike: "650,000"
Insert: "617,500"
Following: line 8
Insert: "State Building Energy Retrofit

Statewide	500,000	Nonstate State Special Revenue
	1,000,000	Federal Special Revenue
	500,000	Auxiliary or Other"

3. Page 4, line 24.
Strike: "399,500"
Insert: "349,500"

4. Page 5, line 2.
Strike: "300,000"
Insert: "450,000"

5. Page 5, line 3.
Following: "Maintenance"
Insert: "and Storage"

6. Page 5, line 4.
Strike: "715,000"
Insert: "1,167,600"

7. Page 5, line 5.
Strike: line 5 in its entirety
Insert: "

	115,925	Federal Special Revenue"

8. Page 5, line 8.
Strike: "149,208"
Insert: "116,708"

9. Page 5, line 13.
Strike: "150,000"
Insert: "37,625"
Following: line 13
Insert: "Montana State Hospital

Infrastructure Study	112,375"

10. Page 5, line 20.
Following: line 19
Insert: "Galen Repair Projects 181,000"

11. Page 5, line 23.
Following: line 22
Insert: "Various Major Maintenance

Projects	209,450	Federal Special Revenue"

12. Page 6, line 18.
Strike: "1,089,550"
Insert: "1,154,550"
Strike: "Auxiliary"
Insert: "Plant"

13. Page 7, line 5.
Strike: "and" through "Building"

14. Page 7, line 6.
Strike: "50,000 Federal Special Revenue"

15. Page 7, line 7.
Strike: "150,000 Donations"

16. Page 7, line 9.
Following: line 8
Insert: "Window Retrofit Museum
Building, Montana Tech 142,000"

17. Page 7, line 12.
Following: line 11
Insert: "Centennial Mall, Montana
State University 1,600,000 Plant"

18. Page 7, line 16.
Strike: "3,335,250"
Insert: "2,668,200"

19. Page 7, line 18.
Following: line 17
Insert: "Life Science Building,
University of Montana 12,000,000 Federal Special Revenue"

20. Page 7, line 19.
Strike: "2,322,900"
Insert: "1,858,320"

21. Page 7, line 21.
Following: line 20
Insert: "Multipurpose Building,
Northern Agricultural
Research Center 150,000

(2) For purposes of obtaining cash for the construction litigation appropriation authority in [section 6(1)], the architecture and engineering division of the department of administration is authorized to request a budget amendment for transfer of any excess long-range building project funds from any agency so long as the amendment does not move funds required to complete any authorized agency project."
Renumber: subsequent subsection

22. Page 8, line 5.
Strike: line 5 in its entirety

23. Page 8, line 13.
Following: "appropriation."
Insert: "(1)"

24. Page 8, line 22.
Following: line 21
Insert: "(2) The amount of $150,000 of the appropriation for "Wildlife Habitat Acquisition, Statewide" may be used to implement the provisions of [section 2 of Senate Bill No. 252], passed by the 52nd legislature."

25. Page 8, line 25.
Strike: "$261,000"
Insert: "$219,000"

26. Page 9, line 5.
Strike: "$143,500"
Insert: "$243,500"

27. Page 9, line 11.
Following: line 10
Insert: "(3) The following money is appropriated to the department of fish, wildlife, and parks in the indicated amount for the purpose of improving waterfowl habitat:

Agency/Project	LRBPF	Other Funding Sources
Waterfowl Habitat Enhancement, Statewide	$50,000	State Special Revenue"

28. Page 9, line 22.
Strike: "17,734,460"
Insert: "18,401,510"

29. Page 9, line 24.
Strike: "12,558,395"
Insert: "13,022,975"

30. Page 9.
Following: line 24
Insert: "Construct Women's Correction Center 10,075,600"

31. Page 10, lines 2 through 5.
Strike: lines 2 through 5 in their entirety

32. Page 10, line 7.
Strike: "$58,881,960"
Insert: "$68,957,560"

33. Page 10, lines 13 through 25.
Strike: lines 13 through 25 in their entirety

Renumber: subsequent sections

34. Page 11, line 9.
Following: line 8
Insert: "(3) The appropriations for capital projects authorized in sections 6 and 8(1) of House Bill No. 777, Laws of 1989, for the Lake Elmo improvements project are reappropriated as follows: Through June 30, 1991, appropriated funds are reserved for the Lake Elmo improvements project. Any capital projects funds that have not by that date been matched with local funds on a cash basis, through a deposit of cash with the department of fish, wildlife, and parks accounts, are no longer reserved for the project. Any remaining balance of capital projects funds not designated for Lake Elmo improvements as of July 1, 1991, are available to the department of fish, wildlife, and parks to expend for state parks improvements. Funds for these projects must be matched equally by local funds. The department of administration may expend only that portion of the appropriation that is equally matched with local funds on a cash basis. In-kind services may not be considered for matching purposes."

35. Page 12, lines 11 and 12.
Strike: "through 15"
Insert: "and 13"

And, as amended, do pass. Report adopted.

HB 927, second reading copy, be amended as follows:

1. Page 6, line 13.
Following: "EXTENDED"
Insert: "according to 53-3-321(3)"

And, as amended, do pass. Report adopted.

HB 963, introduced bill, be amended as follows:

1. Title, line 4.
Following: "THE"
Strike: "BOARD" on line 4 through "DEBT;" on line 7
Insert: "DEPARTMENT OF INSTITUTIONS TO ENTER INTO A LOAN AGREEMENT WITH THE MONTANA HEALTH FACILITY AUTHORITY FOR THE PURPOSE OF FINANCING THE COSTS OF ACQUIRING, CONSTRUCTING, AND EQUIPPING FACILITIES FOR THE DEVELOPMENTALLY DISABLED AT THE MONTANA DEVELOPMENTAL CENTER IN BOULDER, INCLUDING THE ESTABLISHMENT OF RESERVES AND THE PAYMENT COSTS OF THE FINANCING; AUTHORIZING THE CREATION OF A SPECIAL LIMITED OBLIGATION OF THE DEPARTMENT; AUTHORIZING THE PAYMENT OF THE SPECIAL LIMITED OBLIGATION FROM FACILITY REVENUES; AMENDING SECTION 17-7-502, MCA;"

2. Page 1, lines 11 through 20.

Following: "bonds."
Strike: the remainder of line 11 through line 20 in their entirety
Insert: "(1) The department of institutions may enter into a loan agreement with the Montana health facility authority for the purpose of financing the costs of acquiring, constructing, and equipping facilities for the developmentally disabled at the Montana developmental center in Boulder, including the establishment of reserves and the payment of costs of the financing. The maximum principal amount of the loan may not exceed $8,665,000, and the loan must be payable over a term of not to exceed 30 years and must bear interest and contain other terms and provisions with respect to prepayment or otherwise as are not inconsistent with this section and as the department approves.

(2) The loan may be secured by a mortgage on the Montana developmental center facility, including the land on which it is located. The loan agreement constitutes a special limited obligation of the department, and the principal and interest payments required by that agreement are payable solely from the facility revenues obtained by the department from the ownership and operation of and the provision of services at the Montana developmental center, including payments or reimbursements from private users, insurers, and the federal government. Notwithstanding the provisions of 53-1-413 or any other statutory provision, all facility revenues obtained from services provided by the Montana developmental center must be deposited in a special revenue fund, must be applied to the payment of the principal and interest payments as due under the loan agreement, and constitute a statutory appropriation within the meaning of 17-7-502. Whenever the foregoing facility revenues exceed the amount and terms specified and required to repay the loan and maintain required reserves, the excess must be deposited to the general fund. As long as the loan remains outstanding and the department provides services for the developmentally disabled, the department shall use the Montana developmental center for those purposes or for other purposes as permitted by the loan agreement and state law, except when foreclosure occurs under the agreement or the mortgage. The loan agreement may contain other provisions or agreements that the department determines are necessary and that are not inconsistent with the provisions of [sections 1 through 3].

(3) The obligations of the department under the agreement are special obligations payable solely from the facility revenues and do not constitute a debt of the state or obligate the state to appropriate or apply any funds or revenues of the state, except the facility revenues as provided in this section."

3. Page 2, lines 1 through 4.
Strike: section 3 in its entirety
Insert: "Section 3. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-9-202; 2-17-105; 2-18-812; 10-3-203; 10-3-312; 10-3-314; 10-4-301; 13-37-304; 15-1-111; 15-25-123; 15-31-702; 15-36-112; 15-37-117; 15-65-121; 15-70-101; 16-1-404; 16-1-410; 16-1-411; 17-3-212; 17-5-404; 17-5-424; 17-5-804; [section 1]; 19-8-504; 19-9-702; 19-9-1007; 19-10-205; 19-10-305; 19-10-506; 19-11-512; 19-11-513; 19-11-606; 19-12-301; 19-13-604; 20-6-406; 20-8-111; 20-9-361; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-1016; 23-5-1027; 27-12-206; 37-51-501; 39-71-2504; 53-6-150; 53-24-206; 61-2-406; 61-5-121; 67-3-205; 75-1-1101; 75-5-1108; 75-11-313; 76-12-123; 80-2-103; 82-11-136; 82-11-161; 90-3-301; 90-4-215; 90-4-613; 90-6-331; 90-9-306; and section 13, House Bill No. 861, Laws of 1985.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for such payments. (In subsection (3), pursuant to sec. 10, Ch. 664, L. 1987, the inclusion of 39-71-2504 terminates June 30, 1991.)""

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 3/27/91
HJR 47, introduced bill, do pass. Report adopted.

HUMAN SERVICES AND AGING (Russell, Chairman): 3/23/91
HB 93, introduced bill, be amended as follows:

1. Title, line 7.
Following: "ON"
Strike: "EACH NURSING FACILITY"
Insert: "NURSING FACILITIES"
Following: "FOR"
Strike: "EACH BED DAY"
Insert: "BED DAYS REIMBURSED BY THIRD-PARTY PAYORS"

2. Title, line 8.
Strike: "1993"
Insert: "1992"

3. Title, line 9.
Following: ";"
Insert: "TO PROVIDE FOR THE ASSESSMENT, COLLECTION, AND REFUND OF THE FEE;"

4. Title, line 10.
Strike: "DEPOSITED IN THE GENERAL FUND"
Insert: "USED FOR CERTAIN MEDICAID REIMBURSEMENTS"
Following: ";"
Insert: "TO PROVIDE AN APPROPRIATION;"

5. Title, line 11.
Following: "DATES"
Insert: ", AN APPLICABILITY DATE, AND A TERMINATION DATE"

6. Page 1, line 12.
Following: line 11
Insert: "WHEREAS, the Legislature recognizes that the failure to fully fund the cost of nursing home care for Medicaid beneficiaries creates a burden on individuals who pay privately for nursing home care by shifting cost from Medicaid to non-Medicaid residents in our state's nursing homes; and

WHEREAS, the state has the potential of facing a lawsuit from nursing homes if the Legislature fails to fully fund the cost of nursing home care; and

WHEREAS, the Legislature desires to alleviate the cost-shifting from Medicaid to other patients, while bearing in mind the financial circumstances facing the state; and

WHEREAS, it is the intent of the Legislature to find creative financing solutions and to maximize federal participation in the cost of programs wherever possible; and

WHEREAS, it is the intent of the Legislature to use the utilization fee established in this bill as a means of providing additional Medicaid reimbursements to nursing homes; and

WHEREAS, it is the intent of the Legislature that nursing homes carefully consider the increased Medicaid revenues made available by this legislation when determining reasonable rates to be charged to non-Medicaid patients in their facilities; and

WHEREAS, the Legislature enacts the following legislation as a means of relieving privately paying individuals in nursing homes from the burden of costs shifted from the Medicaid program and of maximizing federal funding of this program."

7. Page 1, lines 15 and 17.
Page 2, line 10.
Page 6, line 25.
Page 7, lines 2 and 4.
Strike: "10"
Insert: "15"

8. Page 2, line 14.
Following: "care"
Strike: ","

Insert: "or"

9. Page 2, line 15.
Following: "care"
Strike: ", or intermediate developmental disability care"

10. Page 2, lines 17 and 18.
Following: "facility"
Strike: ", regardless of the source of payment for the resident's care"
Following: "."
Insert: "The term includes all periods for which the nursing facility is reimbursed by a third-party payor, including but not limited to a private or governmental insurer or public assistance program, but it does not include any period for which the nursing facility may be reimbursed only by the resident, a friend of the resident, or a member of the resident's family."

11. Page 2.
Following: line 24
Insert: "(3) "Department" means the department of revenue."
Renumber: subsequent subsections

12. Page 3, line 2.
Strike: "long-term care"
Insert: "nursing"

13. Page 3, line 3.
Following: "skilled nursing care"
Strike: ","
Insert: "or"

14. Page 3, lines 3 and 4.
Following: "intermediate nursing care"
Strike: ", or intermediate developmental disability care"

15. Page 3, line 5.
Following: "includes"
Strike: "all"

16. Page 3, line 10.
Following: "care""
Strike: ","
Insert: "and"

17. Page 3, line 11.
Following: "care""
Strike: ", and "intermediate developmental disability care""

18. Page 3, line 21.
Following: "amount of"
Strike: "$1"
Insert: "$1.25"
Following: "facility"

Insert: "during fiscal year 1992 and $1.50 for each bed day in the facility during fiscal year 1993"

19. Page 3, line 23.
Following: "fee."
Insert: "(1)"

20. Page 4, line 2.
Following: "due"
Strike: "within 30 days following the end"
Insert: "on or before the last day of the month following the close"

21. Page 4, line 6.
Following: line 5
Insert: "(2) The department of health and environmental sciences shall provide the department at the end of each calendar quarter with a list of facilities as defined in [section 1(4)]."

22. Page 4, line 15.
Following: "inspection"
Insert: "by the department"

23. Page 4, line 20 through page 5, line 7.
Strike: subsections (4) and (5) in their entirety
Insert: "NEW SECTION. Section 5. Periods of limitation. (1) Except as otherwise provided in this section, a deficiency may not be assessed or collected with respect to the quarter for which a report is filed unless the notice of additional fees proposed to be assessed is mailed within 5 years from the date the report was filed. For the purposes of this section, a report filed before the last day prescribed for filing is considered filed on the last day. If, before the expiration of the period prescribed for assessment of the fee, the facility consents in writing to an assessment after the 5-year period, the fee may be assessed at any time prior to the expiration of the period agreed upon.

(2) A refund or credit may not be paid or allowed with respect to the year for which a report is filed after 5 years from the last day prescribed for filing the report or after 1 year from the date of the overpayment, whichever period expires later, unless before the expiration of the period, the facility files a claim or the department has determined the existence of the overpayment and has approved the refund or credit. If the facility has agreed in writing under the provisions of subsection (1) to extend the time within which the department may propose an additional assessment, the period within which a claim for refund or credit is filed or a credit or refund allowed in the event no claim is filed is automatically extended."
Renumber: subsequent sections

24. Page 5, lines 9 through 20.
Following: "waiver." on line 9
Strike: subsections (1) and (2) in their entirety

Insert: "(1) If the fee for any facility is not paid on or before the due date of the report as provided in [section 3(1)], a penalty of 10% of the amount of the fee due must be assessed unless it is shown that the failure was due to reasonable cause and not neglect.

(2) If any fee due under [section 2] is not paid when due, interest is added to the tax due at the rate of 12% a year from the due date until paid."

25. Page 5, line 21 through page 6, line 8.
Strike: section 6 in its entirety
Insert: "NEW SECTION. Section 7. Estimated fee on failure to file. (1) If a facility fails to file the report as required, the department is authorized to make an estimate of the fees due from the facility from any information in its possession.

(2) For the purpose of ascertaining the correctness of any report or for the purpose of making an estimate of bed day use of any facility where information has been obtained, the department may:

(a) examine or cause to have examined by any designated agent or representative any books, papers, records, or memoranda bearing upon the matters required to be included in the report;

(b) require the attendance of any officer or employee of the facility rendering the report or the attendance of any other person in the premises having relevant knowledge; and

(c) take testimony and require production of any other material for its information.

NEW SECTION. Section 8. Deficiency assessment -- hearing. (1) If the department determines that the amount of fees due are greater than the amount disclosed by the report, it shall mail to the facility a notice of the additional fees proposed to be assessed. Within 30 days after the mailing of the notice, the facility may file with the department a written protest against the proposed additional fees, setting forth the grounds upon which the protest is based, and may request in its protest an oral hearing or an opportunity to present additional evidence relating to its fees liability. If no protest is filed, the amount of the additional fees proposed to be assessed becomes final upon the expiration of the 30-day period. If such protest is filed, the department shall reconsider the proposed assessment and, if the facility has so requested, shall grant the facility an oral hearing. After consideration of the protest and the evidence presented in the event of an oral hearing, the department's action upon the protest is final when it mails notice of its action to the facility.

(2) When a deficiency is determined and the fees become final, the department shall mail notice and demand to the facility for payment, and the fees become due and payable at the expiration of 10 days from the date of the notice and demand. Interest on any deficiency assessment bears interest from the date specified in [section 5] for payment of the fees. A certificate by the department of the mailing of the notices specified in this section is prima facie evidence of the computation and levy of the deficiency in the fees and of the giving of the notices.

NEW SECTION. Section 9. Closing agreements. (1) The director of the department or any person authorized in writing by him is authorized to enter into an agreement with any facility relating to the liability of the facility in respect to the fees imposed by [sections 1 through 15] for any period.

(2) An agreement under this section is final and conclusive, and except upon a showing of fraud or malfeasance or misrepresentation of a material fact:

(a) the case may not be reopened as to matters agreed upon or the agreement modified by any officer, employee, or agent of this state; and

(b) in any suit, action, or proceeding under the agreement or any determination, assessment, collection, payment, abatement, refund, or credit made in accordance with the agreement, the agreement may not be annulled, modified, set aside, or disregarded.

NEW SECTION. Section 10. Credit for overpayment -- interest on overpayment. (1) If the department determines that the amount of fees, penalty, or interest due for any year is less than the amount paid, the amount of the overpayment must be credited against any fees, penalty, or interest then due from the facility and the balance must be refunded to the facility or its successor through reorganization, merger, or consolidation or to its shareholders upon dissolution.

(2) Except as provided in subsections (2)(a) and (2)(b), interest is allowed on overpayments at the same rate as is charged on delinquent fees due from the due date of the report or from the date of overpayment, whichever date is later, to the date the department approves refunding or crediting of the overpayment. Interest does not accrue during any period during which the processing of a claim for refund is delayed more than 30 days by reason of failure of the facility to furnish information requested by the department for the purpose of verifying the amount of the overpayment. No interest is allowed:

(a) if the overpayment is refunded within 6 months from the date the report is due or from the date the return is filed, whichever is later; or

(b) if the amount of interest is less than $1.

(3) A payment not made incident to a discharge of actual utilization fee liability or a payment reasonably assumed to be imposed by [sections 1 through 15] is not considered an overpayment with respect to which interest is allowable.

NEW SECTION. Section 11. Application for refund -- appeal from denial. If the department disallows a claim for refund, it shall notify the facility. At the expiration of 30 days from the mailing of the notice, the department's action becomes final unless within the 30-day period the facility appeals in writing from the action of the department to the state tax appeal board. If an appeal is made, the board shall grant the taxpayer an oral hearing. After consideration of the appeal and evidence presented, the board shall mail notice to the taxpayer of its determination. The board's

determination is final when it mails notice of its action to the taxpayer."
Renumber: subsequent sections

26. Page 6, lines 12 through 14.
Following: "7."
Strike: lines 12 through 14 in their entirety

27. Page 6, lines 17 and 18.
Following: "deposited in"
Strike: "the state general fund"
Insert: "an account in the state special revenue fund to be used for medicaid reimbursement to nursing facilities"

28. Page 6, line 20.
Following: "section"
Strike: "3"
Insert: "2"

29. Page 6.
Following: line 25
Insert: "NEW SECTION. Section 16. Appropriation. The following money is appropriated from the account established in [section 13] to the department of social and rehabilitation services to fund increases in medicaid rates to nursing facilities:

Fiscal Year 1992

State special revenue funds	$ 923,626
Federal funds	2,341,223
Total funds	$ 3,264,849

Fiscal Year 1993

State special revenue funds	$ 1,465,300
Federal funds	3,749,294
Total funds	$ 5,214,594"

Renumber: subsequent sections

30. Page 7, line 5.
Following: line 4
Insert: "NEW SECTION. Section 18. Contingent voidness. (1) If federal law or policy is amended to allow a nursing facility to bill a person receiving nursing care for which the facility is being reimbursed by medicare or medicaid for the utilization fee provided in [section 2], [this act] is void as of the effective date of the change in federal law or policy.

(2) If federal law or policy is amended so that the utilization fees collected pursuant to [this act] may not be considered as the state's share in claiming federal financial participation under the medicaid program, [this act] is void as of the effective date of the change in federal law or policy.

(3) If the federal government refuses to participate in or denies approval of any plan for medicaid payments to nursing facilities on grounds that it considers the payments to be reimbursement to facilities for payment of the utilization fees, [this act] is void as of the date of receipt by the department of social and rehabilitation services of notice of an official determination of such refusal or denial.

(4) If [this act] becomes void under the provisions of this section, all fees received or collected by the department prior to the date upon which the act becomes void must be deposited in accordance with [section 13] and a person or party may not receive a refund of any fees received or collected by the department prior to the date upon which [this act] becomes void.

NEW SECTION. Section 19. Coordination instruction. If Senate Bill No. 445 is passed and approved and if it includes a section adopting a uniform tax appeal procedure, then the language contained in [sections 7(1) and 11 of this act] is void and the provisions of Senate Bill No. 445 govern the appeal procedures.

NEW SECTION. Section 20. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

NEW SECTION. Section 21. Nonapplicability. [Sections 1 through 15] and the fee established under [section 2] do not apply to facilities licensed to provide intermediate developmental disability care and facilities reimbursed as institutions for mental disease under the medicaid program."

Renumber: subsequent section

31. Page 7, line 6.
Strike: "10, 11"
Insert: "15, 17 through 21, 23"

32. Page 7, line 7.
Strike: "October 1, 1991"
Insert: "on passage and approval"

33. Page 7, line 8.
Strike: "9"
Insert: "14 and 16"
Strike: "1992"
Insert: "1991"

34. Page 7, line 9.
Strike: "1992"
Insert: "1991"

35. Page 7, line 10.
Following: line 9

Insert: "NEW SECTION. Section 23. Termination. [This act] terminates June 30, 1993."

And, as amended, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Squires, Chairman): 3/27/91
HB 1005, introduced bill, be amended as follows:

1. Page 3, line 1.
Following: "projects"
Strike: "are"

2. Page 3, line 2.
Following: "(i)"
Insert: "are"

3. Page 3, lines 3 through 5.
Following: "(ii)"
Strike: remainder of line 3 through "offenders;" on line 5
Insert: "include a training program for inmates on a ratio of one journeyman employee to every two inmates. The department shall negotiate a project agreement that includes a training program with the craft unions having jurisdiction within the geographic area of the Montana state prison."

4. Page 4, line 18.
Following: "(6)"
Strike: "A"
Insert: "Except for projects employing journeymen employees, the"

5. Page 4.
Following: line 21
Insert: "NEW SECTION. Section 2. Inmate-labor projects approved. The projects that use inmate labor approved by the legislature pursuant to 53-1-301 are limited to the gymnasium, yard storage, toilet, and landscaping and the expansions of the low-security food service, business administration building, industries facilities, and the warehouse at the state prison in Deer Lodge."
Renumber: subsequent section

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/27/91

HB 110, introduced by Gilbert
HB 162, introduced by Gilbert
HB 252, introduced by Forrester

Senate bills passed and transmitted to the House for concurrence: 3/27/91

SB 411, introduced by Fritz
SB 436, introduced by B. Brown
SB 445, introduced by Doherty
SB 462, introduced by Mazurek

House amendments to Senate bill concurred in: 3/27/91

SB 8, introduced by Mazurek

Governor's amendments concurred in and returned to the House: 3/25/91

HB 244, introduced by Thomas

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bills were introduced, read first time, and referred to committee:

SB 411, introduced by Fritz, McCulloch, referred to Committee on Taxation
SB 436, introduced by B. Brown (by request of the Department of Revenue), referred to Committee on Taxation
SB 445, introduced by Doherty, Mazurek (by request of the Department of Revenue), referred to Committee on Taxation
SB 462, introduced by Mazurek, referred to Committee on Taxation

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Daily in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 20 - Representative Pavlovich moved HB 20 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Whalen, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: J. DeBruycker, Elliott, Foster, Gilbert, M. Hanson, Kasten, McCaffree, T. Nelson, Steppler, Wallin, Wanzenried.
Total 11

Voted Absentee: Measure, Aye.

Excused: Bardanouve, Hoffman, Phillips, J. Rice.
Total 4

Absent or not voting: Boharski, Lee.
Total 2

HB 145 - Representative Grady moved HB 145 do pass.

Representative Wallin made a substitute motion consideration of HB 145 be placed below HB 300 on the second reading board. Motion carried.

HB 179 - Representative Pavlovich moved HB 179 do pass. Motion carried as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 82

Noes: Bergsagel, Brooke, Gilbert, Kasten, L. Nelson, T. Nelson, Steppler.
Total 7

Voted Absentee: Measure, Aye.

Excused: Bardanouve, Cohen, Elliott, Hoffman, Phillips, J. Rice, Mr. Speaker.
Total 7

Absent or not voting: Bachini, J. DeBruycker, Grady, Strizich.
Total 4

HB 234 - Representative Pavlovich moved HB 234 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H.

S. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Elliott, Gilbert.
Total 2

Voted Absentee: Measure, Aye.

Excused: Bardanouve, M. Hanson, Hoffman, Phillips, J. Rice.
Total 5

Absent or not voting: None.
Total 0

HB 298 - Representative Cobb moved HB 298 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 80

Noes: Brooke, Cohen, Gilbert, Madison, McCaffree, Measure, T. Nelson, Ream, Southworth, Stang, Steppler, Wyatt.
Total 12

Voted Absentee: Measure, No.

Excused: Bardanouve, M. Hanson, Harrington, Hoffman, Phillips, J. Rice.
Total 6

Absent or not voting: Kadas, Strizich.
Total 2

HB 300 - Representative Darko moved consideration of HB 300 be placed at the bottom of the second reading board. Motion carried.

HB 145 - Representative Wallin moved HB 145, second reading copy, be amended as follows (amendment #1):

1. Page 2, line 10.
Following: "CENTERS"
Insert: "if the center is within 25 miles of the retailer or wholesaler"

Amendment #1 passed as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, O'Keefe, Pavlovich, Peterson, Quilici, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: Bachini, Dowell, Feland, Grinde, Kilpatrick, T. Nelson, Nisbet, Peck, Stang, Swysgood, Thoft.
Total 11

Excused: Bardanouve, M. Hanson, Hoffman, Measure, Phillips, Raney, J. Rice.
Total 7

Absent or not voting: Bradley.
Total 1

Representative Pavlovich in the Chair at this time.

Representative Grady moved HB 145, as amended, do pass. Motion carried as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 76

Noes: Bachini, Bergsagel, Boharski, Cobb, Feland, Foster, Gilbert, Grinde, Kasten, Knox, McCaffree, T. Nelson, Peck, Stang, Swysgood, Thoft, Thomas.
Total 17

Voted Absentee: Measure, Aye.

Excused: Bardanouve, M. Hanson, Hoffman, Phillips, J. Rice.
Total 5

Absent or not voting: Bradley, Daily.
Total 2

HB 365 - Representative Swysgood moved HB 365 do pass. Motion carried as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Bergsagel, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Forrester, Galvin, Gervais, Gould, Grady, Grinde, H. S. Hanson, Harrington, Hayne, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Menahan, Mercer, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Simpkins, Spring, Squires, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 69

Noes: Bachini, Benedict, Boharski, Brooke, Cody, J. DeBruycker, Elliott, Ellison, Feland, Foster, Gilbert, S. J. Hansen, J. Johnson, Kadas, Kasten, Lee, McCaffree, Measure, Messmore, T. Nelson, Peterson, Scott, Southworth, Stang, Steppler.
Total 25

Voted Absentee: Measure, No.

Excused: Bardanouve, M. Hanson, Hoffman, Phillips, J. Rice.
Total 5

Absent or not voting: Zook.
Total 1

HB 371 - Representative Menahan moved HB 371 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Feland, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, Hayne, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 74

Noes: Brooke, Clark, Ellis, Ellison, Fagg, Gilbert, H. S. Hanson, M. Hanson, J. Johnson, R. Johnson, Kasten, Knox, Measure, Mercer, T. Nelson, Tunby, Wanzenried.
Total 17

Voted Absentee: Measure, No.

Excused: Bardanouve, Elliott, Foster, Hoffman, Phillips, J. Rice.
Total 6

Absent or not voting: Grady, Grinde, S. Rice.
Total 3

Representative Darko moved consideration of HB 414, HB 489 and HB 491 be placed at the bottom of the second reading board. Motion carried.

HB 454 - Representative Cobb moved HB 454, second reading copy, be amended as follows (amendment #1):

1. Page 7, line 25.
Following: "government"
Insert: ", except for purposes of capital projects administered by the department of administration, for which institutions are treated as one department and university units as one system"

Amendment #1 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Gilbert.
Total 1

Excused: Bardanouve, Ellison, Foster, M. Hanson, Hoffman, Measure, Phillips, J. Rice.
Total 8

Absent or not voting: Cody, Grinde, Kadas, S. Rice.
Total 4

Representative Cobb moved HB 454, introduced bill, be further amended as follows (amendment #2):

1. Page 5, line 22.
Following: line 21
Insert: "(6) Notwithstanding the provisions of subsection (5), an agency may not record encumbrances as expenditures against appropriations contained in [this act]:

(a) if the operating budget for the expenditure category to which the expenditure would be charged has been increased by more than 5% above the amount recorded for that category on the statewide budgeting and accounting system at the end of February of the affected fiscal year, unless an emergency expenditure is authorized by the appropriate approving authority in the same manner as budget amendments for emergencies are approved under Title 17, chapter 7, part 4; and

(b) unless the transactions are authorized by the appropriate approving authority when the encumbrance exceeds $10,000 in the equipment category or $20,000 in any other expenditure category."

Amendment #2 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook.
Total 87

Noes: None.
Total 0

Excused: Bardanouve, Foster, M. Hanson, Harrington, Hoffman, Measure, Phillips, J. Rice, Wanzenried, Mr. Speaker.
Total 10

Absent or not voting: Grinde, S. Rice, Swysgood.
Total 3

Representative Cobb moved HB 454, introduced bill, be further amended as follows (amendment #3):

1. Title, line 16.
Following: "17-7-102,"
Insert: "17-7-304,"

2. Title, line 17.
Following: "DATE"
Insert: ", AN APPLICABILITY PROVISION, AND A TERMINATION DATE"

3. Page 11, line 1.
Following: page 10, line 25
Insert: "Section 6. Section 17-7-304, MCA, is amended to read:

"17-7-304. Disposal of unexpended appropriations. (1) All moneys appropriated for any specific purpose except those appropriated for the university system units listed in subsection (2) shall, after the expiration of the time for which so appropriated, revert to the several funds and accounts from which originally appropriated. However, any unexpended balance in any specific appropriation may be used for the years for which the appropriation was made.

(2) All moneys appropriated for the university of Montana at Missoula, Montana state university at Bozeman, Montana college of mineral science and technology at Butte, eastern Montana college at Billings, northern Montana college at Havre, western Montana college of the university of Montana at Dillon, the agricultural experiment station with central offices at Bozeman, the forest and conservation experiment station with central offices at Missoula, the cooperative extension service with central offices at Bozeman, the bureau of mines and geology with central offices in Butte, and the vocational-technical centers at Billings, Butte, Great Falls, Helena, and Missoula shall, after the expiration of the time for which appropriated, revert to an account held by the board of regents. The board of regents is authorized to maintain a fund balance. There is a statutory appropriation, as provided in 17-7-502, to use the funds held in this account in accordance with a long-term plan for major and deferred maintenance expenditures and equipment or fixed assets purchases prepared by the affected university system units and approved by the board of regents. The affected university system units may, with the approval of the board of regents, modify the long-term plan at any time to address changing needs and priorities. The board of regents shall communicate the plan to each legislature and to the finance committee when requested by the committee.""
Renumber: subsequent sections

4. Page 11, line 20.
Following: "17-5-804;"
Insert: "17-7-304;"

Page 22, lines 11 and 14.
Strike: "7 through 10"
Insert: "8 through 11"

Page 22, lines 15 and 18.
Strike: "11"
Insert: "12"

Page 22, lines 19 and 22
Strike: "12 and 13"
Insert: "13 and 14"

5. Page 23, line 2.
Following: line 1

Insert: "NEW SECTION. Section 21. Applicability. [Section 6(2)] applies to reversions due from fiscal year 1991."
Renumber: subsequent section

6. Page 23, line 4.
Following: line 3
Insert: "NEW SECTION. Section 23. Termination. [Section 6(2)] terminates June 30, 1996."

Amendment #3 passed as follows:

Ayes: Bachini, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook.
Total 87

Noes: Barnhart.
Total 1

Excused: Bardanouve, Elliott, Foster, M. Hanson, Harrington, Hoffman, Measure, J. Rice, Wanzenried, Mr. Speaker.
Total 10

Absent or not voting: Grinde, S. Rice.
Total 2

Representative Cobb moved HB 454, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Brooke, D. Brown, Cohen, Gilbert, O'Keefe, Stang.

Total 6

Voted Absentee: Measure, Aye.

Excused: Bardanouve, Foster, M. Hanson, Harrington, Hoffman, J. Rice.
Total 6

Absent or not voting: None.
Total 0

HB 497 - Representative Darko moved HB 497 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Ellis, Fagg, Forrester, Galvin, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Russell, Schye, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 71

Noes: Benedict, Bergsagel, Cobb, R. DeBruycker, Driscoll, Ellison, Feland, Gervais, Gilbert, H. S. Hanson, Kasten, Lee, Measure, Mercer, L. Nelson, Phillips, Scott, Spring, Steppler, Thomas, Tunby.
Total 21

Voted Absentee: Measure, No.

Excused: Bardanouve, Elliott, Foster, Hoffman, J. Rice.
Total 5

Absent or not voting: Gould, T. Nelson, S. Rice.
Total 3

HB 498 - Representative Steppler moved HB 498 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Galvin, Gervais, Gould, Grady, H. S. Hanson, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 79

Noes: Benedict, R. DeBruycker, Ellison, Gilbert, Grinde, McCaffree, Measure, Peterson, Spring.
Total 9

Voted Absentee: Measure, No.

Excused: Bardanouve, Elliott, Foster, M. Hanson, Harrington, Hoffman, J. Rice.
Total 7

Absent or not voting: S. J. Hansen, Kimberley, Knox, Wallin, Zook.
Total 5

HB 508 - Representative Kadas moved HB 508 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: J. DeBruycker, R. DeBruycker, Ellison, Feland, Gilbert, Grinde, H. S. Hanson, Lee, McCaffree, Phillips, Spring, Stang, Swysgood, Thoft.
Total 14

Voted Absentee: Measure, Aye.

Excused: Bardanouve, Foster, M. Hanson, Hoffman, J. Rice.
Total 5

Absent or not voting: None.
Total 0

HB 511 - Representative R. Johnson moved HB 511 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott,

Simpkins, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook.
Total 85

Noes: Bergsagel, Cohen, Gilbert, Southworth, Steppler, Whalen.
Total 6

Voted Absentee: Measure, Aye.

Excused: Bardanouve, D. Brown, Driscoll, Foster, M. Hanson, Hoffman, Kadas, J. Rice, Mr. Speaker.
Total 9

Absent or not voting: None.
Total 0

Representative Darko moved consideration of HB 300, HB 489 and HB 491 be placed below HB 645 on the second reading board. Motion carried.

HB 524 - Representative Raney moved HB 524 do pass. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt.
Total 69

Noes: Barnett, Benedict, Bergsagel, Clark, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Keller, McCaffree, L. Nelson, Phillips, Simpkins, Spring, Swysgood, Thoft, Zook.
Total 26

Voted Absentee: Measure, Aye.

Excused: Bardanouve, Hoffman, J. Rice, Mr. Speaker.
Total 4

Absent or not voting: J. Johnson.
Total 1

HB 544 - Representative Gould moved HB 544 do pass. Motion carried as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis,

Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Bachini, Bergsagel, D. Brown, Cohen, Gilbert, McCaffree, L. Nelson, Peck.
Total 8

Excused: Bardanouve, Harrington, J. Rice.
Total 3

Absent or not voting: J. DeBruycker, S. J. Hansen.
Total 2

HB 560 - Representative Stang moved HB 560 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: Bergsagel, J. DeBruycker, Ellison, Fagg, Foster, Grinde, Kasten, Lee, McCaffree, Mercer, Messmore, L. Nelson, Spring, Steppler, Tunby.
Total 15

Excused: Bardanouve, Elliott, J. Rice.
Total 3

Absent or not voting: None.
Total 0

Representative Kilpatrick in the Chair at this time.

HB 569 - Representative Grinde moved consideration of HB 569 be passed for the day. Motion carried.

HB 645 - Representative L. Nelson moved HB 645 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Kadas.
Total 1

Excused: Bardanouve, J. Rice.
Total 2

Absent or not voting: None.
Total 0

HB 300 - Representative O'Keefe moved HB 300 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Bergsagel, Clark, Cobb, Cromley, R. DeBruycker, Gilbert, Madison, Stang.
Total 8

Excused: Bardanouve, Elliott, J. Rice.
Total 3

Absent or not voting: None.
Total 0

HB 489 - Representative O'Keefe moved HB 489 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 80

Noes: Benedict, Bergsagel, Clark, Foster, Gilbert, H. S. Hanson, Hayne, Hoffman, Kasten, Lee, Mercer, Peterson, Simpkins, Swysgood, Thoft, Tunby, Zook.
Total 17

Excused: Bardanouve, Elliott, J. Rice.
Total 3

Absent or not voting: None.
Total 0

HB 491 - Representative O'Keefe moved HB 491 do pass. Motion carried as follows:

Ayes: Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, Harrington, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 57

Noes: Bachini, Barnett, Bergsagel, Clark, Cobb, Cromley, R. DeBruycker, Elliott, Ellis, Fagg, Feland, Foster, Gilbert, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 37

Excused: Bardanouve, Ellison, J. Rice.
Total 3

Absent or not voting: Benedict, Measure, Ream.
Total 3

HB 647 - Representative Schye moved consideration of HB 647 be passed for the day. Motion carried.

HB 940 - Representative Wanzenried moved consideration of HB 940 be passed for the day. Motion carried.

HB 684 - Representative Driscoll moved HB 684, second reading copy, be amended (amendment #1). Amendment #1 failed as follows: (49-50)

Representative Pavlovich resumed the Chair at this time.

Representative Driscoll moved HB 684 do pass. Motion carried as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 86

Noes: Bachini, Bardanouve, Brooke, Cobb, Darko, J. DeBruycker, Elliott, Feland, S. J. Hansen, Kadas, Peck, Wyatt.
Total 12

Excused: J. Rice.
Total 1

Absent or not voting: Gilbert.
Total 1

HB 692 - Representative Gould moved HB 692 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, J. DeBruycker, Dolezal, Dowell, Ellison, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Madison, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 73

Noes: Bachini, Barnett, Boharski, Cobb, Darko, Davis, R. DeBruycker, Driscoll, Elliott, Ellis, Fagg, Feland, Gilbert, Grinde, H. S. Hanson, Hoffman, Larson, Lee, McCaffree, McCarthy, Mercer, Scott, Southworth, Steppler, Swysgood, Zook.
Total 26

Excused: J. Rice.
Total 1

Absent or not voting: None.
Total 0

HB 696 - Representative Grinde moved consideration of HB 696 be passed for the day. Motion carried.

HB 704 - Representative Wanzenried moved HB 704 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCulloch, Measure, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 72

Noes: Barnett, Benedict, Bergsagel, Boharski, Cobb, J. DeBruycker, R. DeBruycker, Ellis, Feland, H. S. Hanson, Kasten, Keller, McCaffree, L. Nelson, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Thomas, Zook.
Total 22

Excused: J. Rice.
Total 1

Absent or not voting: Grinde, Hayne, McCarthy, Menahan, Quilici.
Total 5

HB 728 - Representative Ream moved HB 728 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck,

Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Cobb, Kasten.
Total 2

Excused: J. Rice.
Total 1

Absent or not voting: Gilbert.
Total 1

HB 760 - Representative Kimberley moved HB 760 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Boharski, R. DeBruycker, Feland, Kadas, Knox, Lee, T. Nelson, Peterson.
Total 8

Excused: J. Rice.
Total 1

Absent or not voting: None.
Total 0

HB 777 - Representative Quilici moved HB 777 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan,

Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Feland, Gilbert, Lee.
Total 3

Excused: J. Rice.
Total 1

Absent or not voting: None.
Total 0

HB 786 - Representative Quilici moved HB 786 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: R. DeBruycker, Feland, Gilbert, Hayne, Kasten, Knox, McCaffree, T. Nelson, Peterson, Spring, Swysgood, Thoft.
Total 12

Excused: J. Rice.
Total 1

Absent or not voting: Phillips.
Total 1

HB 830 - Representative Phillips moved HB 830 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison,

McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bardanouve, R. DeBruycker, Driscoll, Gilbert, Peterson.
Total 5

Excused: J. Rice.
Total 1

Absent or not voting: None.
Total 0

HB 841 - Representative Bergsagel moved HB 841 do pass. Motion passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Bardanouve, Boharski, Brooke, Cobb, Driscoll, Gervais, Gilbert, Kadas, Lee, O'Keefe, Stang, Strizich.
Total 12

Excused: J. Rice.
Total 1

Absent or not voting: None.
Total 0

HB 842 - Representative Connelly moved HB 842 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison,

McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 92

Noes: R. DeBruycker, Feland, Gilbert, Stang.
Total 4

Excused: J. Rice.
Total 1

Absent or not voting: Ream, Southworth, Wyatt.
Total 3

HB 866 - Representative D. Brown moved HB 866, second reading copy, be amended (amendment #1). Amendment #1 failed as follows: (44-53)

Representative D. Brown moved HB 866, second reading copy, be amended (amendment #2). Amendment #2 failed as follows: (45-52)

Representative D. Brown moved HB 866, second reading copy, be amended as follows (amendment #3):

1. Title, line 16.
Following: "~~AGENCIES~~;"
Insert: "DIRECTING THE ENVIRONMENTAL QUALITY COUNCIL TO CONDUCT A STUDY OF THE NEED FOR ADDITIONAL REORGANIZATION;"

2. Page 5, line 12.
Following: line 11
Strike: "29"
Insert: "30"

3. Page 6, line 4.
Following: "~~71~~"
Strike: "29"
Insert: "30"

4. Page 7, line 14.
Following: "~~71~~"
Strike: "29"
Insert: "30"

5. Page 7, line 18.
Following: "~~71~~"
Strike: "29"
Insert: "30"

6. Page 7, line 22.
Following: "~~71~~"

Strike: "29"
Insert: "30"

7. Page 7, line 25.
Following: "~~71~~"
Strike: "29"
Insert: "30"

8. Page 117, line 2.
Following: line 1
Insert: "NEW SECTION. Section 25. Study of additional needs for reorganization of natural resource and environmental functions. The environmental quality council shall:

(1) conduct and coordinate a study in cooperation with the governor's office and state agencies to assess the need for additional reorganization of natural resource and environmental functions of state government to complement the reorganization of functions provided by [this act];

(2) conduct the study required by subsection (1) in a manner that promotes public involvement and that is designed to achieve public consensus on the need for any additional reorganization and on recommendations concerning the specific natural resource and environmental functions that may require reorganization; and

(3) report its findings to the 53rd legislature, including recommendations for legislative consideration to implement any additional reorganization of natural resource and environmental functions that is necessary."
Renumber: subsequent sections

9. Page 117, line 18.
Following: "~~66~~"
Strike: "24"
Insert: "25"

10. Page 117, line 24.
Following: "~~67~~"
Strike: "25"
Insert: "26"
Following: "~~70~~"
Strike: "28"
Insert: "29"

11. Page 118, line 1.
Following: "~~66~~"
Strike: "24"
Insert: "25"

12. Page 118, line 2.
Following: "~~70~~"
Strike: "28"
Insert: "29"

Amendment #3 passed as follows:

Ayes: Bardanouve, Barnett, Benedict, Bergsagel, Boharski, D. Brown, J. Brown, Clark, Cocchiarella, Connelly, Cromley, Darko, J. DeBruycker, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kimberley, Knox, Larson, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Pavlovich, Peterson, Phillips, Quilici, Raney, S. Rice, Russell, Simpkins, Spring, Squires, Stang, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Whalen.
Total 64

Noes: Bachini, Barnhart, Beck, Becker, Bradley, Brooke, Cobb, Cody, Cohen, Davis, R. DeBruycker, Dolezal, Dowell, Galvin, S. J. Hansen, Kilpatrick, Lee, Madison, McCaffree, Measure, Nisbet, O'Keefe, Peck, Ream, Schye, Scott, Southworth, Steppler, Stickney, Swysgood, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 34

Excused: J. Rice.
Total 1

Absent or not voting: Daily.
Total 1

Representative D. Brown moved HB 866, as amended, do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Beck, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cromley, Daily, Darko, R. DeBruycker, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Pavlovich, Peterson, Phillips, Quilici, Raney, S. Rice, Russell, Simpkins, Spring, Stang, Swysgood, Thoft, Thomas, Toole, Wallin, Zook.
Total 65

Noes: Bachini, Barnhart, Becker, Brooke, Cocchiarella, Cody, Cohen, Connelly, Davis, J. DeBruycker, Dolezal, Galvin, S. J. Hansen, Kilpatrick, McCaffree, Measure, L. Nelson, Nisbet, O'Keefe, Peck, Ream, Schye, Scott, Southworth, Squires, Steppler, Stickney, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 32

Excused: J. Rice.
Total 1

Absent or not voting: Gilbert, Strizich.
Total 2

HB 876 - Representative Wyatt moved HB 876 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: R. DeBruycker, Ellison, Gilbert, Hayne, Pavlovich, Peterson, Spring.
Total 7

Excused: J. Rice.
Total 1

Absent or not voting: Cromley, Kasten.
Total 2

HB 903 - Representative Cobb moved consideration of HB 903 be passed for the day. Motion carried.

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Pavlovich moved the adoption of the committee report. Report adopted. (80-18)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/27/91
Correctly printed: HJR 47.
Correctly engrossed: HB 520, HB 803.

APPROPRIATIONS (Bardanouve, Chairman): 3/27/91
HB 4, introduced bill, be amended as follows:

1. Title, line 10.
Following: "1993;"
Insert: "PROVIDING DIRECTION CONCERNING CONSIDERATION OF BUDGET AMENDMENT APPROPRIATIONS FOR FISCAL YEAR 1993;"

Page 1, line 14.
Page 1, line 18.
Page 1, line 21.
Strike: "4"

Insert "5"

2. Page 1, line 23.
Following: line 22
Insert: "NEW SECTION. Section 3. Direction concerning certain fiscal year 1993 budget amendments. The legislature intends that any request by the office of budget and program planning presented to the 53rd legislature for a bill to appropriate money to various state agencies that would usually be made by budget amendment include requests for fiscal year 1993 appropriations only."
Renumber: subsequent sections

Page 1, line 24.
Strike: "4"
Insert: "5"

Page 2, line 4.
Strike: "5"
Insert: "6"

3. Page 2, line 6.
Following: line 5
Insert: "GOVERNOR'S OFFICE

Mental Disabilities Board of Visitors	1991	$2,500	Federal Special"

4. Page 2, line 9.
Following: line 8
Insert: "

Grants	1991	10,000	Federal Special
Arts in Education	1991-92	9,995	Federal Special
Arts Apprenticeships	1991-92	21,000	Federal Special

MONTANA STATE LIBRARY

Natural Resource Information Services	1991	29,908	Federal Special"

Page 2, line 13 and Page 4, line 14.
Following: "Proprietary"
Insert: "Fund"

5. Page 2, line 18.
Following: line 17
Insert: "DEPARTMENT OF HIGHWAYS

Right-of-Way Acquisition	1991	212,292	State Special
		787,708	Federal Special"

6. Page 3, line 4.
Following: line 3
Insert: "

Elementary Traffic Education	1991	15,453	Federal Special
Math/Science Education	1991	25,392	Federal Special"

7. Page 3, line 11.
Following: line 10
Insert: "Drug Testing Kits 1991 75,000 Federal Special"

8. Page 3, line 12.
Strike: "2,229,520"
Insert: "1,629,560"

9. Page 3, line 20.
Following: line 19
Insert: "Indian Affairs Coordinator
Native American
Highway Contractors 1991 17,030 Federal Special
Small Business
Development Center 1991 35,000 State Special"

10. Page 3, line 24.
Following: line 23
Insert: "Centralized Services
Social Security
Contract 1991 12,000 Federal Special"

11. Page 4, line 2.
Strike: line 2 in its entirety
Insert: "Primary Care 1991-92 95,694 Federal Special"

12. Page 4, line 3.
Following: line 2
Insert: "Trauma Register 1991-92 11,126 Federal Special
Preventive Health
AIDS In-Home
Services 1991-92 30,000 Federal Special

DEPARTMENT OF LABOR AND INDUSTRY
Job Service Division
Targeted Jobs
Tax Credit 1991 95,779 Federal Special

Human Rights Division
Fair Housing/
Opening Doors 1991-92 18,750 Federal Special

The unexpended fiscal year 1991 budget amendment authority for Fair Housing/Opening Doors is reappropriated for fiscal year 1992.

Research, Safety, and Training
Onsite Safety
Consultation 1991-92 7,369 Federal Special

The unexpended fiscal year 1991 budget amendment authority for coal mine safety is reappropriated for fiscal year 1992.

Coal Mine Funds

The unexpended fiscal year 1991 coal mine federal authority is reappropriated for fiscal year 1992.

World of Work	1991	41,637	Federal Special
DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES			
Family Assistance			
Food Stamp Enhancement	1991	248,314	Federal Special
LIEAP	1991	1,894,033	Federal Special
Medicaid Services			
Indian Health Care	1991	1,942,792	Federal Special
Institutions	1991	1,848,025	Federal Special
Institutions 1985-89	1991	570,626	Federal Special
Developmental Disabilities			
Montana Youth Initiative	1991	69,868	Federal Special
Part H Carryover	1991	71,543	Federal Special
DEPARTMENT OF FAMILY SERVICES			
Community Services			
Child Justice Act	1991	37,430	Federal Special
Independent Living	1991	117,734	Federal Special
DDPAC Targeted Case Management	1991	75,000	Federal Special
Mountain View School			
Chapter I Special Education	1991	2,621	Federal Special
Chapter I Basic Grant	1991	6,434	Federal Special
Pine Hills School			
Chapter II	1991	1,072	Federal Special
Chapter I Special Needs	1991	2,709	Federal Special
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION			
Energy Division			
All States Energy Conference	1991-92	70,000	State Special
		151,000	Federal Special"

13. Page 4, line 12.
Following: line 11
Insert: "EPA Pesticide 1991 53,500 Federal Special"

14. Page 4, line 14.
Strike: "252,258"
Insert: "251,258"

15. Page 4, line 15.
Following: line 14
Insert: "Guaranteed Student

Loan	1991	19,254	Federal Special"

16. Page 4, line 15.
Strike: "9,430"
Insert: "10,430"

17. Page 5, line 5.
Insert: "Western Montana College

Instruction	1991	46,922	Current Unrestricted
Scholarships and Fellowships	1991	7,444	Current Unrestricted
Montana Agricultural Experiment Station			
Research - Hatch	1991	98,584	Current Unrestricted
Research - Regional Research	1991	37,525	Current Unrestricted
Montana Cooperative Extension Service			
Public Service	1991	25,500	Current Unrestricted"

18. Page 5, line 15.
Following: line 14
Insert: "Academic Support

Equipment	1991	42,906	Current Unrestricted
Fire Services Training School			
Hazardous Materials	1991-92	28,500	Federal Special
Sprinkler Technology	1991	10,050	Federal Special"

19. Page 5, line 17.
Strike: "123,000"
Insert: "71,000"

20. Page 5, line 21.
Following: line 20
Insert: "DEPARTMENT OF LIVESTOCK

Inspection and Control			
Weapons/Brands Records	1991	75,600	State Special"

21. Page 5, line 24.
Following: line 23
Insert: "Supplies Inventory 1991 250,000 Proprietary Fund"

22. Page 6, line 3.
Following: line 2
Insert: "Tort Claims

Outside Legal Counsel	1991	1,000,000	Proprietary Fund
Teachers' Retirement Board			
Computer Processing	1991	21,404	Proprietary Fund"

23. Page 6, line 5.
Strike: "114,330"
Insert: "84,330"

24. Page 6, lines 11 through 13.
Strike: lines 11 through 13 in their entirety
Insert: "Human Resource
Development 1991 141,686 Federal Special"

25. Page 6, line 15.
Following: "budget"
Strike: "amendments"
Insert: "amendment"

26. Page 7, line 3.
Following: line 2
Insert: "SWAN RIVER FOREST CAMP
Care and Custody
Vocational Training
Program 1991 7,000 Proprietary Fund"

And, as amended, do pass. Report adopted.

HB 77, third reading copy, be amended as follows:

1. Title, line 11.
Following: "INCREASE;"
Insert: "INCREASING MEMBER CONTRIBUTIONS;"

2. Title, line 12.
Following: "19-6-401,"
Insert: "19-6-402,"

3. Page 3.
Following: line 18.
Insert: "Section 3 Section 19-6-402, MCA, is amended to read:

"19-6-402. Member's contribution. (1) Every member shall be required to contribute into the account a sum equal to ~~7.59%~~ 9% of his monthly salary, which sum shall be deposited to his credit in the account.

(2) Each employer, pursuant to section 414(h)(2) of the federal Internal Revenue Code of 1954, as amended and applicable on July 1, 1985, shall pick up and pay the contributions which would be payable by the member under subsection (1) for service rendered after June 30, 1985.

(3) The member's contributions picked up by the employer must be designated for all purposes of the retirement system as the member's contributions, except for the determination of a tax upon a distribution from the retirement system. These contributions must become part of the member's accumulated contributions but must be accounted for separately from those previously accumulated.

(4) The member's contributions picked up by the employer must be payable from the same source as is used to pay compensation to the member and must be included in the member's wages as defined in 19-1-102 and his compensation as used to define his final salary in 19-6-101. The employer shall deduct from the member's compensation an amount equal to the amount of the member's contributions picked up by the employer and remit the total of the contributions to the board.""

Renumber: subsequent sections

4. Page 3, line 22.
Following: "~~26.75%~~"
Strike: "37.69%"
Insert: "36.28%"

And, as amended, do pass. Report adopted.

HB 125, introduced bill, do pass. Report adopted.

HB 299, second reading copy, be amended as follows:

1. Title, lines 7 through 9.
Following: "LIMITS;" on line 7
Strike: remainder of line 7 through "IMPLEMENT" on line 8
Insert: "Implementing A"

2. Page 4, line 24 through page 5 line 1.
Following: "Section 3." on line 24
Strike: remainder of line 24 through "the" on page 5 line 1
Insert: "Permanency planning project. The"

3. Page 5, lines 1 through 3.
Following: "family services" on line 1
Strike: remainder of line 1 through "to" on line 3
Insert: "shall"

4. Page 5, line 6.
Strike: "(a)"
Insert: "(1)"
Renumber: subsequent subsections

5. Page 5, lines 11 through 13.
Strike: line 11 through 13 in their entirety

And, as amended, do pass. Report adopted.

HB 393, introduced bill, do pass. Report adopted.
HB 477, introduced bill, do pass. Report adopted.
HB 528, second reading copy, be amended as follows:

1. Title, line 7.
Following: "ACT"
Strike: "REQUIRING"

Insert: "AUTHORIZING"

2. Title, lines 8 through 22.
Following: "TO"
Strike: "DEVELOP" on line 8 through "DATE." on line 22
Insert: "CREATE A COMMITTEE TO EVALUATE THE PROPOSALS FOR THE SITING OF A WOMEN'S CORRECTIONAL FACILITY; PROVIDING FOR THE EVALUATION OF THE PROPOSALS AND SELECTION OF A FACILITY SITE; APPROPRIATING MONEY FOR THE PURPOSES OF THE SITE SELECTION COMMITTEE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

3. Page 1, line 24 through page 3, line 6.
Strike: the preamble in its entirety

4. Page 3, line 9 through page 17, line 10.
Strike: sections 1 through 14 in their entirety
Insert: "NEW SECTION. Section 1. Site selection -- authorization -- committee. The department of institutions shall select the site of the women's correctional facility in accordance with the following provisions:

(1) Sites considered for the location of the facility are limited to the eight communities that responded to the department's request for proposals, which proposals were received by the department on or before January 30, 1991.

(2) Site selection must be governed by criteria identified in the request for proposals issued by the department on December 14, 1990.

(3) A site selection committee must be appointed to evaluate the requests for proposals. The committee is composed of the following persons:

(a) two persons from the criminal justice and corrections advisory council, appointed by the governor. Neither member may be a resident of a local government that has submitted a proposal.

(b) one representative of the architecture and engineering division of the department of administration, appointed by the director of the department of administration;

(c) the corrections division administrator and the warden of the women's correctional center, representing the department of institutions;

(d) two members of the house of representatives, appointed by the speaker of the house. Neither member may be a resident of a local government unit that has submitted a proposal.

(e) two members of the senate, appointed by the president of the senate. Neither member may be a resident of a local government unit that has submitted a proposal.

(f) one representative of an established and recognized organization whose primary mission is specific to women's needs, appointed by the governor; and

(g) one representative of the public, appointed by the governor.

(4) The committee shall approve and apply a weighted scoring mechanism to evaluate the site selection criteria.

(5) The site selection committee shall meet as often as necessary to consider, evaluate, and make a site recommendation for the facility. The recommendation must be made to the director of the department of institutions and is binding unless there is found to be an error in process or fact."

Renumber: subsequent sections

5. Page 17, line 12.
Following: "fund"
Strike: "$8,000"
Insert: "$5,000"

6. Page 17, line 14.
Following: "by"
Strike: "5"
Insert: "1"

7. Page 17, lines 16 through 21.
Strike: section 16 in its entirety
Renumber: subsequent sections

8. Page 17, lines 24 and 25.
Following: "Termination."
Strike: "[Sections 1" on line 24 through "100" on line 25.
Insert: "[Section 1] terminates 150"

And, as amended, do pass. Report adopted.

HB 595, third reading copy, be amended as follows:

1. Page 5, line 10.
Strike: "6.9%"
Insert: "7.2%"

2. Page 7, line 6.
Strike: "15.96%"
Insert: "15.66%"

And, as amended, do pass. Report adopted.

HB 731, second reading copy, be amended as follows:

1. Page 7, line 22.
Following: "means"
Insert: ", within a timber sale,"

And, as amended, do pass. Report adopted.

HB 804, second reading copy, be amended as follows:

1. Title, line 6.

Following: "ALLOWANCE FOR"
Strike: "AN"
Insert: "A STATE"

2. Title, line 8.
Following: "PAYABLE TO"
Strike: "AN"
Insert: "A STATE"

3. Page 4, line 15.
Following: "When"
Strike: "an"
Insert: "a state"

And, as amended, do pass. Report adopted.

HB 937, second reading copy, be amended as follows:

1. Title, line 13.
Following: "~~CHILDREN;~~"
Strike: "PROVIDING AN APPROPRIATION;"

2. Page 2, line 4 through line 16.
Following: line 3
Strike: section 2 in its entirety
Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 999, second reading copy, be amended as follows:

Title, line 13.
Following: line 12
Strike" "AND"
Following: "20-7-431"
Insert "AND 20-9-334,"

1. Page 16, line 19.
Following: "20-7-422"
Insert: "(3)"

2. Page 19, line 20.
Following: line 19
Insert: "(4) Payments for a child with disabilities as negotiated in subsection (3) must be paid by the superintendent of public instruction from the state special education appropriation."

3. Page 24, line 11.
Following: "district."
Insert: "Section 8. Section 20-9-334 is amended to read:

"20-9-334. Apportionment of county equalization moneys by county superintendent. The county superintendent shall separately apportion the revenues deposited in the basic county tax

account and the revenues deposited in the basic special tax for high schools account to the several districts of the county on a monthly basis. The apportionments shall be known as "county equalization moneys". Before the county superintendent makes the monthly apportionments, he shall:

(1) deduct from the revenues available in the basic county tax account the amount required for the month to pay the county's obligation for elementary transportation reimbursements and out-of-state tuition obligations; and

(2) deduct from the revenues available in the basic special tax for high schools account the amount required for the month to pay the county's obligation for high school out-of-county tuition.""

Renumber: subsequent sections

4. Page 28.
Following: line 1
Insert: "NEW SECTION. Section 11. Out-of-state tuition. (1) The county superintendent of schools of the county of the district of residence shall make payments from the county basic tax for elementary schools for children who are placed in facilities outside the state of Montana pursuant to 20-5-301(3)(e) but not under the provisions of Title 20, chapter 7, part 4.

(2) The county superintendent of schools of the county of residence shall make payments from the county basic special tax for high schools as provided in 20-9-334 for children who are placed in facilities outside the state of Montana as a result of a court order or placement by a state agency. This provision does not apply to children with disabilities that are defined under the provisions of Title 20, chapter 7, part 4."

Renumber: subsequent sections

5. Page 28, line 4.
Following: "instruction"
Strike: "$3,242,000"
Insert: "$2,471,000"

6. Page 28, line 7.
Following: "facility"
Strike: "or in an out-of-state public or private facility"

Page 28, lines 12 and 14.
Strike: "8 and 9"
Insert: "9 through 11"

And, as amended, do pass. Report adopted.

HB 1008, introduced bill, be amended as follows:

1. Page 3, line 18.
Strike: "1.66%"
Insert: "1.667%"

2. Page 3, line 25.
Strike: "3.34%"
Insert: "3.333%"

3. Page 5, line 7.
Strike: "3.34%"
Insert: "3.333%"

4. Page 6, line 3.
Strike: "1.66%"
Insert: "1.667%"

And, as amended, do pass. Report adopted.

MOTIONS

Representative Dowell moved he be allowed to change his vote on HB 179, second reading, from no to yes. Motion carried.

Representative Driscoll moved HB 340 be taken from second reading and rereferred to the Committee on Appropriations. Motion carried.

Representative Driscoll moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Governor's amendments to HB 244. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 8:00 a.m., Thursday, March 28, 1991. Motion carried.

House adjourned at 9:10 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

SIXTY-SEVENTH LEGISLATIVE DAY

Helena, Montana — House Chambers
March 28, 1991 — State Capitol

House convened at 8:10 a.m. Mr. Speaker in the Chair. Invocation by Representative Barnhart. Pledge of Allegiance to the Flag.

Roll call. All members present except O'Keefe, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/28/91
Correctly printed: HB 4, HB 5, HB 77, HB 93, HB 125, HB 147, HB 299, HB 340, HB 393, HB 452, HB 477, HB 528, HB 595, HB 731, HB 781, HB 787, HB 804, HB 914, HB 927, HB 937, HB 963, HB 999, HB 1005, HB 1008.
Correctly engrossed: HB 6, HB 7, HB 8, HB 9, HB 10, HB 20, HB 145, HB 179, HB 234, HB 298, HB 300, HB 365, HB 371, HB 454, HB 489, HB 491, HB 497, HB 498, HB 508, HB 511, HB 514, HB 524, HB 544, HB 560, HB 645, HB 684, HB 692, HB 704, HB 728, HB 760, HB 777, HB 786, HB 830, HB 841, HB 842, HB 876.

MESSAGES FROM THE GOVERNOR

March 27, 1991

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

Dear President Mazurek and Speaker Harper:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to Senate Bill 228, "AN ACT INCREASING THE SALARIES PAID SUPREME COURT JUSTICES AND DISTRICT COURT JUDGES; PROVIDING ADDITIONAL REVENUE TO FUND A PORTION OF THE INCREASE; AMENDING SECTIONS 2-16-404, 3-5-211, AND 25-1-201, MCA; AND PROVIDING EFFECTIVE DATES AND A TERMINATION DATE."

I reluctantly take this necessary action. I am sensitive to and appreciate the separation of powers of government provided in our Constitution. The Montana Supreme Court and the state's district judges hold significant responsibilities.

Debate on SB 228 illustrates decades of neglecting adequate compensation for these public servants. That unfortunate tradition was altered in 1989 when a substantial pay increase was granted the judiciary by the legislature and this Governor. State compensation must reflect the responsibilities of the office and continue to assure a dedicated, competent and capable judiciary.

My amendments will reduce the proposed annual compensation for Supreme Court Justices and district court judges to the average percentage increases I have recommended for all state employees. I recognize that salaries of other elected officials, including the Superintendent of Public Instruction and the Attorney General are below peers with similar responsibilities.

I am also mindful these and many other state government employees are paid by the people we serve. Our ability to compensate is dependent upon the health and vitality of the Montana economy.

Montana's economy has shown steady improvement enabling us to address state employee pay. However, we must be realistic as to what we can afford.

I recognize as well that revenue derived for these salary increases shall come from collection of fees for those who use our state court system. It is important to remember that a fee is an expense imposed by government upon the people who call upon the court system. Accordingly, I have proposed amendments which will reduce the increase in several fee categories. These are costs passed on to people who seek dissolution of marriage, legal separation, probate or appointment of guardians or conservatorship. Any fee adjustment must be justified and <u>not</u> burdensome. An effective court system is only accessible to the public at large when it is not an economic hardship.

I must balance the competing and legitimate interests of all people involved.

I do not take this action lightly. These amendments will continue to improve the compensation for the judiciary.

Upon your careful deliberations, I urge this legislative assembly to concur with these amendments. These amendments will enhance our mutual efforts to improve compensation levels for the judiciary at a pace and rate that is affordable to Montana taxpayers and fair to the remaining number of other public service employees of state government.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
SENATE BILL 228
(REFERENCE COPY, AS AMENDED)
MARCH 27, 1991

1. Page 3, line 1.
Strike: "<u>$59,722</u>"
Insert: "$59,021"

2. Page 3, line 2.

Strike: "$61,722"
Insert: "$60,319"

3. Page 3, line 3.
Strike: "$63,722"
Insert: "$61,677"

4. Page 3, line 4.
Strike: "$65,722"
Insert: "$63,034"

5. Page 3, line 9.
Strike: "$58,452"
Insert: "$57,722"

6. Page 3, line 10.
Strike: "$60,452"
Insert: "$58,992"

7. Page 3, line 11.
Strike: "$62,452"
Insert: "$60,320"

8. Page 3, line 12.
Strike: "$64,452"
Insert: "$61,647"

9. Page 3, line 19.
Strike: "$57,178"
Insert: "$56,420"

10. Page 3, line 20.
Strike: "$59,178"
Insert: "$57,661"

11. Page 3, line 21.
Strike: "$61,178"
Insert: "$58,958"

12. Page 3, line 22.
Strike: "$63,178"
Insert: "$60,256"

13. Page 4, line 11.
Strike: "$110"
Insert: "$105"

14.Page 4, line 13.
Strike: "$110"
Insert: "$105"

15. Page 5, line 13.
Strike: "$60"

Insert: "$55"

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 2 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Grady, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Larson, Madison, McCarthy, McCulloch, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Toole, Wanzenried, Wyatt, Mr. Speaker.
Total 53

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cohen, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kimberley, Knox, Lee, McCaffree, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, Simpkins, Spring, Stang, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Whalen, Zook.
Total 47

Voted Absentee: O'Keefe, Peck, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 6 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Driscoll, Gilbert, McCaffree.
Total 3

Voted Absentee: O'Keefe, Aye.

Excused: Peck.
Total 1

Absent or not voting: Feland, S. Rice.
Total 2

HB 7 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Driscoll, Gilbert, McCaffree.
Total 3

Voted Absentee: O'Keefe, Aye.

Excused: Peck.
Total 1

Absent or not voting: J. DeBruycker, Ream.
Total 2

HB 8 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Cohen, Driscoll, Gilbert, McCaffree.
Total 4

Voted Absentee: O'Keefe, Aye.

Excused: Peck.
Total 1

Absent or not voting: Hoffman, Wanzenried.
Total 2

HB 9 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Bergsagel, Driscoll, Gilbert, Larson, McCaffree, Phillips.
Total 6

Voted Absentee: O'Keefe, Aye.

Excused: Peck.
Total 1

Absent or not voting: Ellis.
Total 1

HB 10 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Clark, Driscoll, Gilbert.
Total 3

Voted Absentee: O'Keefe, Aye.

Excused: Peck.
Total 1

Absent or not voting: S. J. Hansen.
Total 1

HB 20 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Gilbert, McCaffree, T. Nelson, Steppler, Wallin.
Total 5

Excused: O'Keefe, Peck.
Total 2

Absent or not voting: Bardanouve, Lee.
Total 2

HB 145 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: Bachini, Bergsagel, Boharski, Cobb, Feland, Grinde, M. Hanson, Hoffman, Kasten, Knox, McCaffree, T. Nelson, Phillips, Stang, Swysgood, Thoft.
Total 16

Excused: O'Keefe, Peck.
Total 2

Absent or not voting: J. DeBruycker.
Total 1

HB 179 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Brooke, Cohen, J. DeBruycker, Grinde, Kadas, Kasten, L. Nelson, Steppler.
Total 8

Excused: O'Keefe, Peck.
Total 2

Absent or not voting: S. J. Hansen.
Total 1

3rd reading

HB 234 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Gilbert, Wallin.
Total 2

Excused: O'Keefe, Peck.
Total 2

Absent or not voting: None.
Total 0

HB 298 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Zook.
Total 85

Noes: Cohen, Elliott, Madison, Measure, L. Nelson, T. Nelson, Southworth, Stang, Steppler, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 13

Excused: O'Keefe, Peck.
Total 2

Absent or not voting: None.
Total 0

HB 300 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Bergsagel, Clark, Cobb, Cromley, R. DeBruycker, Madison, Stang.
Total 7

Excused: O'Keefe, Peck.
Total 2

Absent or not voting: None.
Total 0

HB 365 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Menahan, Mercer, L. Nelson, Nisbet, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Spring, Squires, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 77

Noes: Bachini, Benedict, Brooke, Cody, J. DeBruycker, Ellison, Feland, Gilbert, S. J. Hansen, J. Johnson, Kadas, Lee, McCaffree, Measure, Messmore, T. Nelson, Peterson, Scott, Southworth, Stang, Steppler.
Total 21

Excused: O'Keefe, Peck.
Total 2

Absent or not voting: None.
Total 0

HB 371 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Clark, Foster, M. Hanson, R. Johnson, Kasten, Knox, Mercer, T. Nelson, Tunby.
Total 9

Voted Absentee: O'Keefe, Aye.

Excused: Peck.
Total 1

Absent or not voting: None.
Total 0

HB 454 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: D. Brown, Cohen, Driscoll, Measure, Raney, Stang.
Total 6

Excused: O'Keefe, Peck.
Total 2

Absent or not voting: None.
Total 0

HB 489 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 85

Noes: Bergsagel, Clark, Foster, Gilbert, Hayne, Hoffman, Kasten, Lee, Mercer, Peterson, Swysgood, Thoft, Tunby, Zook.
Total 14

Voted Absentee: O'Keefe, Aye.

Excused: Peck.
Total 1

Absent or not voting: None.
Total 0

HB 491 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, Harrington, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 62

Noes: Barnett, Benedict, Bergsagel, Clark, Cobb, Cromley, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, L. Nelson, T. Nelson, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Thomas, Wallin, Zook.
Total 36

Voted Absentee: O'Keefe, Aye.

Excused: Peck.
Total 1

Absent or not voting: Tunby.
Total 1

HB 497 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 78

Noes: Bardanouve, Benedict, Bergsagel, Cobb, R. DeBruycker, Driscoll, Elliott, Ellison, Feland, Gilbert, H. S. Hanson, Kasten, Lee, Mercer, L. Nelson, Phillips, Scott, Spring, Steppler, Tunby.
Total 20

Excused: O'Keefe, Peck.
Total 2

Absent or not voting: None.
Total 0

HB 498 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: McCulloch, Peterson, Raney, Spring, Stang, Strizich.
Total 6

Excused: O'Keefe, Peck.
Total 2

Absent or not voting: None.
Total 0

HB 508 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Elliott, Ellis, Fagg, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Simpkins, Southworth, Squires, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook.
Total 73

Noes: Benedict, Bergsagel, Brooke, D. Brown, Clark, J. DeBruycker, R. DeBruycker, Driscoll, Ellison, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Lee, McCaffree, Phillips, Russell, Scott, Spring, Stang, Swysgood, Thoft, Wanzenried, Mr. Speaker.
Total 26

Voted Absentee: O'Keefe, Aye.

Excused: Peck.
Total 1

Absent or not voting: None.
Total 0

HB 511 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Bergsagel, Driscoll, Gilbert, Southworth, Steppler, Whalen.
Total 6

Excused: O'Keefe, Peck.
Total 2

Absent or not voting: Bardanouve, S. Rice.
Total 2

HB 514 passed as follows:

Ayes: Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, Kadas, Kilpatrick, Kimberley, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 57

Noes: Bachini, Bardanouve, Barnett, Benedict, Bergsagel, Boharski, Cobb, Cody, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Larson, Lee, Mercer, L. Nelson, Peterson, Phillips, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Zook.
Total 42

Voted Absentee: O'Keefe, Aye.

Excused: Peck.
Total 1

Absent or not voting: None.
Total 0

HB 520 passed as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 77

Noes: Bardanouve, Barnett, Benedict, Bergsagel, Boharski, R. DeBruycker, Elliott, Ellison, Feland, Gilbert, Hayne, Kasten, Lee, McCaffree, Measure, Peterson, Spring, Steppler, Swysgood, Thoft, Tunby, Wallin.
Total 22

Voted Absentee: O'Keefe, Aye.

Excused: Peck.
Total 1

Absent or not voting: None.
Total 0

HB 524 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 71

Noes: Barnett, Benedict, Bergsagel, Clark, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Feland, Gilbert, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, McCaffree, Mercer, L. Nelson, Phillips, Simpkins, Spring, Swysgood, Thoft, Thomas, Zook.
Total 28

Voted Absentee: O'Keefe, Aye.

Excused: Peck.
Total 1

Absent or not voting: None.
Total 0

HB 544 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Bachini, D. Brown, J. DeBruycker, Driscoll, Gilbert, McCaffree, Measure, L. Nelson, Southworth.
Total 9

Excused: O'Keefe, Peck.
Total 2

Absent or not voting: Ream.
Total 1

HB 560 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Bardanouve, Bergsagel, J. DeBruycker, Ellison, Fagg, Foster, Grinde, Kasten, Lee, McCaffree, Mercer, Messmore, L. Nelson, Spring, Steppler.
Total 15

Voted Absentee: O'Keefe, Aye.

Excused: Peck.
Total 1

Absent or not voting: None.
Total 0

HB 645 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: O'Keefe, Peck.
Total 2

Absent or not voting: None.
Total 0

HB 684 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 88

Noes: Bachini, Brooke, Cobb, Darko, Elliott, Feland, Gilbert, S. J. Hansen, Kadas, Wyatt.
Total 10

Excused: O'Keefe, Peck.
Total 2

Absent or not voting: None.
Total 0

HB 692 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Dolezal, Dowell, Driscoll, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Madison, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt.
Total 71

Noes: Bachini, Barnett, Boharski, Cobb, Darko, Davis, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Feland, Gilbert, Grinde, H. S. Hanson, Larson, Lee, McCaffree, McCarthy, Mercer, L. Nelson, Scott, Southworth, Spring, Steppler, Swysgood, Zook.
Total 26

Excused: O'Keefe, Peck.
Total 2

Absent or not voting: Mr. Speaker.
Total 1

HB 704 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 74

Noes: Barnett, Benedict, Bergsagel, Boharski, Cobb, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Feland, Gilbert, Grinde, H. S. Hanson, Kasten, Keller, McCaffree, L. Nelson, Peterson, Phillips, Spring, Swysgood, Thoft, Thomas, Zook.
Total 24

Excused: O'Keefe, Peck.
Total 2

Absent or not voting: None.
Total 0

HB 728 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bergsagel, Cobb, Gilbert, Kasten, Southworth.
Total 5

Voted Absentee: O'Keefe, Aye.

Excused: Peck.
Total 1

Absent or not voting: None.
Total 0

HB 760 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Bergsagel, Boharski, R. DeBruycker, Feland, Kadas, Knox, Lee, T. Nelson, Peterson.
Total 9

Excused: O'Keefe, Peck.
Total 2

Absent or not voting: None.
Total 0

HB 777 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Gilbert, Lee.
Total 2

Voted Absentee: O'Keefe, Aye.

Excused: Peck.
Total 1

Absent or not voting: S. J. Hansen, Kasten.
Total 2

HB 786 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: Boharski, J. DeBruycker, R. DeBruycker, Ellison, Feland, Gilbert, Grinde, Hayne, Kasten, Knox, McCaffree, Measure, L. Nelson, T. Nelson, Peterson, Swysgood, Thoft.
Total 17

Voted Absentee: O'Keefe, Aye.

Excused: Peck.
Total 1

Absent or not voting: None.
Total 0

HB 803 passed as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Menahan, Mercer, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 59

Noes: Bardanouve, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cohen, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Measure, Messmore, L. Nelson, Peterson, Phillips, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 40

Voted Absentee: O'Keefe, Aye.

Excused: Peck.
Total 1

Absent or not voting: None.
Total 0

HB 830 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Bergsagel, R. DeBruycker, Driscoll, Gilbert, Peterson.
Total 5

Excused: O'Keefe, Peck.
Total 2

Absent or not voting: None.
Total 0

HB 841 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Bardanouve, Boharski, Brooke, Cobb, Driscoll, Kadas, Lee, Measure, O'Keefe, Raney, Stang, Wanzenried.
Total 12

Voted Absentee: O'Keefe, No.

Excused: Peck.
Total 1

Absent or not voting: None.
Total 0

HB 842 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bergsagel, R. DeBruycker, Ellison, Gilbert.
Total 4

Voted Absentee: O'Keefe, Aye.

Excused: Peck.
Total 1

Absent or not voting: Elliott.
Total 1

HB 866 passed as follows:

Ayes: Bardanouve, Barnett, Beck, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cromley, Daily, Darko, R. DeBruycker, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Pavlovich, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Simpkins, Spring, Stang, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Zook.
Total 71

Noes: Bachini, Barnhart, Becker, Brooke, Cohen, Connelly, Davis, J. DeBruycker, Dolezal, Gilbert, S. J. Hansen, Kilpatrick, McCaffree, Measure, L. Nelson, Nisbet, O'Keefe, Ream, Schye, Scott, Southworth, Squires, Steppler, Stickney, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 28

Voted Absentee: O'Keefe, No.

Excused: Peck.
Total 1

Absent or not voting: None.
Total 0

HB 876 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Bergsagel, R. DeBruycker, Gilbert, Hayne, Kasten, Peterson.
Total 6

Voted Absentee: O'Keefe, Aye.

Excused: Peck.
Total 1

Absent or not voting: None.
Total 0

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Swysgood in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 414 - Representative Cohen moved HB 414 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Fagg, Forrester, Galvin, Gould, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 63

Noes: Bachini, Barnett, Benedict, Bergsagel, D. Brown, Clark, Cobb, Cody, R. DeBruycker, Ellis, Ellison, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Simpkins, Spring, Steppler, Swysgood, Thoft.
Total 31

Voted Absentee: O'Keefe, Aye.

Excused: Peck.
Total 1

Absent or not voting: Boharski, Elliott, Gervais, Grady, Lee.
Total 5

Representative Connelly moved consideration of HB 5 be placed at the top of the second reading board and consideration of HB 528 be placed below HB 5 on the second reading board. Motion carried.

HB 5 - Representative Connelly moved HB 5 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Boharski, Bradley, J. Brown, Clark, Cobb, Cody, Cohen, Connelly, Daily, Darko, J. DeBruycker, R. DeBruycker, Dowell, Ellis, Fagg, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 68

Noes: Beck, Bergsagel, Brooke, D. Brown, Cocchiarella, Cromley, Davis, Dolezal, Driscoll, Elliott, Ellison, Feland, Foster, Gilbert, Grinde, M. Hanson, Hayne, Kasten, Keller, Kimberley, Lee, McCaffree, Mercer, Phillips, Raney, Scott, Spring, Squires, Stang, Whalen, Wyatt.
Total 31

Voted Absentee: O'Keefe, Aye.

Excused: None.
Total 0

Absent or not voting: Ream.
Total 1

HB 528 - Representative Brooke moved HB 528, second reading copy, be amended as follows (amendment #1):

1. Strike: the House committee on Appropriations amendments of March 27, 1991.

(Revert back to second reading copy -- yellow -- first printing)

2. Title, lines 15 through 19.
Following: "SITE;"
Strike: remainder of line 15 through "PURPOSE;" on line 19

3. Title, line 20.
Strike: "17-7-502,"

Page 3, line 18.
Strike: "10"
Insert: "8"

4. Page 3, line 24.
Strike: "200"
Insert: "120"

5. Page 8, line 4.
Following: "house;"

Strike: "and"

6. Page 8, line 7.
Following: "senate"
Insert: ";

(f) one representative of an established and recognized organization whose primary mission is specific to women's needs, appointed by the governor; and

(g) one representative of the public, appointed by the governor"

7. Page 13, lines 1 through page 16, line 3.
Strike: sections 9 through 11 in their entirety
Renumber: subsequent sections

8. Page 17, line 25.
Strike: "9"
Insert: "8"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Becker, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Fagg, Forrester, Galvin, Gervais, Gilbert, S. J. Hansen, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Lee, Madison, McCaffree, McCulloch, Measure, Messmore, L. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, S. Rice, Russell, Schye, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Wyatt.
Total 55

Noes: Barnett, Beck, Benedict, Bergsagel, D. Brown, Daily, R. DeBruycker, Driscoll, Ellis, Ellison, Feland, Foster, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, Kasten, Keller, Knox, Larson, McCarthy, Menahan, Mercer, T. Nelson, Pavlovich, Peterson, Phillips, Quilici, J. Rice, Scott, Simpkins, Spring, Steppler, Swysgood, Thoft, Wallin, Whalen, Zook.
Total 42

Voted Absentee: O'Keefe, Aye.

Excused: Mr. Speaker.
Total 1

Absent or not voting: Boharski, Clark.
Total 2

Representative Cody moved HB 528, second reading copy, be further amended as follows (amendment #2):

1. Strike: the House committee on Appropriations amendments of March 27, 1991.

(Revert back to second reading copy -- yellow -- first printing)

2. Page 7, line 18.
Following: "administration"
Insert: ", to serve in an advisory capacity only"

3. Page 7, lines 19 through 21.
Following: "(b)"
Strike: the remainder of line 19 through "council," on line 21
Insert: "three representatives of the public,"

4. Page 7, line 22.
Strike: "NEITHER"
Insert: "none"

5. Page 8, line 4.
Following: "house;"
Strike: "and"

6. Page 8, line 7.
Following: "senate"
Insert: "; and

(f) two representatives of established and recognized organizations whose primary mission is specific to women's needs, appointed by the governor"

7. Page 11, line 3.
Strike: "and"

8. Page 11, line 5.
Following: "facility"
Insert: "; and

(q) proximity of a certified local law enforcement agency capable of emergency response"

Amendment #2 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: R. DeBruycker, Fagg, Gould, R. Johnson, Kasten.
Total 5

Voted Absentee: D. Brown, O'Keefe, Ayes.

Excused: None.
Total 0

Absent or not voting: Boharski, Connelly, M. Hanson, S. Rice.
Total 4

Representative Brooke moved HB 528, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 72

Noes: Beck, Bergsagel, D. Brown, Daily, R. DeBruycker, Driscoll, Ellison, Feland, Foster, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, Kasten, Knox, McCarthy, Menahan, Mercer, Pavlovich, Quilici, Scott, Swysgood, Thoft.
Total 26

Voted Absentee: O'Keefe, Aye; D. Brown, No.

Excused: None.
Total 0

Absent or not voting: Boharski, Connelly.
Total 2

HB 569 - Representative J. Rice moved HB 569 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Bergsagel, Ellison, Feland, Gilbert, H. S. Hanson, Lee, Phillips, Swysgood, Thoft.
Total 9

Voted Absentee: O'Keefe, Aye.

Excused: D. Brown.
Total 1

Absent or not voting: Boharski, Grinde, Southworth, Steppler.
Total 4

HB 696 - Representative J. Rice moved consideration of HB 696 be placed below HB 940 on the second reading board. Motion carried.

HB 906 - Representative Connelly moved HB 906 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: Bachini, Bergsagel, Cobb, R. DeBruycker, Feland, H. S. Hanson, Lee, Phillips, Spring, Swysgood, Thoft.
Total 11

Voted Absentee: O'Keefe, Aye.

Excused: D. Brown.
Total 1

Absent or not voting: Boharski, Menahan, Messmore, J. Rice, Squires.
Total 5

HB 923 - Representative Darko moved HB 923 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch,

Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Barnett, Bergsagel, R. DeBruycker, Driscoll, Gilbert, Thoft.
Total 6

Voted Absentee: D. Brown, O'Keefe, Ayes.

Excused: None.
Total 0

Absent or not voting: Benedict, Ellison.
Total 2

HB 934 - Representative Thomas moved HB 934 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, T. Nelson, Nisbet, Peck, Peterson, Phillips, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: Bachini, D. Brown, Daily, Forrester, Harrington, McCarthy, Menahan, L. Nelson, Pavlovich, Quilici, Raney, Russell, Stang.
Total 13

Voted Absentee: D. Brown, No.

Excused: O'Keefe.
Total 1

Absent or not voting: Driscoll, Ellison, Grinde, S. J. Hansen.
Total 4

HB 940 - Representative Wanzenried moved HB 940 do pass.

Representative H.S. Hanson made a substitute motion HB 940 do not pass. Motion failed as follows: (43-53)

Thereupon, HB 940 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Dolezal, Dowell, Driscoll, Elliott, Fagg, Galvin, Gervais, Grinde, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCulloch, Measure, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 55

Noes: Barnett, Benedict, Bergsagel, Boharski, D. Brown, Cobb, Cody, Cromley, Davis, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Feland, Forrester, Foster, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, Simpkins, Spring, Stang, Steppler, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 44

Voted Absentee: Brooke, O'Keefe, Ayes; D. Brown, No.

Excused: None.
Total 0

Absent or not voting: Clark.
Total 1

~~HB 696~~ - Representative J. Rice moved HB 696 do pass.

Representative J. Rice made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative J. Rice moved HB 696, second reading copy, be amended as follows (amendment #1):

1. Title, line 11.
Following: "~~PROGRAM;~~"
Insert: "INCREASING THE FEE ON HEALTH INSURERS TO FUND THE PROGRAM;"

2. Title, line 14.
Following: "~~MCA;~~"
Insert: "AMENDING SECTION 33-2-712, MCA;"

3. Page 2, line 8.
Following: line 7
Insert: "Section 1. Section 33-2-712, MCA, is amended to read:

"33-2-712. (Temporary) Genetics program fee. Except as provided in 33-2-713, for each Montana resident insured under any individual or group disability or health insurance policy on February 1 of each year, the insurer or health service corporation issuing the policy, and the state group health plan provided for in Title 2, chapter 18, part 8, shall pay ~~45~~ 70 cents to the commissioner. The fee must be paid on or before March 1 of each year and be deposited in the general fund. The purpose of the fee

is to fund the voluntary statewide genetics program established in 50-19-211. ~~(Terminates June 30, 1991 sec. 2, 5, Ch. 155, L. 1989.)~~""
Renumber: subsequent sections

4. Page 2, line 19.
Strike: "1 AND 2(1)"
Insert: "1, 2, and 3(1)"

5. Page 2, line 20.
Strike: "2(2)"
Insert: "3(2)"

Amendment #1 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Forrester, Galvin, Gervais, Grady, S. J. Hansen, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 64

Noes: Bachini, Benedict, Bergsagel, Boharski, Cobb, Cody, Cromley, R. DeBruycker, Driscoll, Ellison, Feland, Foster, Gilbert, Gould, H. S. Hanson, Hayne, Hoffman, Kasten, Lee, Measure, Mercer, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Simpkins, Steppler, Swysgood, Thoft, Thomas, Zook.
Total 32

Voted Absentee: Brooke, O'Keefe, Ayes.

Excused: D. Brown, Daily.
Total 2

Absent or not voting: Clark, Grinde.
Total 2

Representative J. Rice moved HB 696, as amended, do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Forrester, Galvin, Gervais, Grady, S. J. Hansen, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, Nisbet, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 66

Noes: Bachini, Benedict, Bergsagel, Boharski, Cobb, Cromley, R. DeBruycker, Feland, Foster, Gilbert, Gould, H. S. Hanson, Hayne, Hoffman, Kasten, Lee, Measure, Mercer, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Steppler, Swysgood, Thoft, Thomas, Zook.
Total 28

Voted Absentee: Brooke, Daily, Ayes.

Excused: D. Brown, O'Keefe.
Total 2

Absent or not voting: Clark, Driscoll, Ellison, Grinde.
Total 4

HB 964 - Representative Grady moved HB 964, second reading copy, be amended as follows (amendment #1):

1. Page 4, line 12.
Strike: "$90"
Insert: "$70"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: None.
Total 0

Excused: Brooke, D. Brown, Daily, O'Keefe.
Total 4

Absent or not voting: Barnhart, Clark, Ellison, Gilbert, Grady, Grinde, Hoffman, Kadas, Pavlovich, Simpkins, Thoft.
Total 11

Representative Grady moved HB 964, as amended, do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson,

M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 80

Noes: Bachini, Bergsagel, Cobb, R. DeBruycker, Driscoll, Feland, Kasten, Peck, Phillips, Stang, Swysgood, Wyatt.
Total 12

Voted Absentee: O'Keefe, Aye.

Excused: Brooke, D. Brown, Daily.
Total 3

Absent or not voting: Boharski, Ellis, Lee, Pavlovich, Thoft.
Total 5

Representative Darko moved consideration of HB 968 and HB 1010 be placed at the bottom of the second reading board. Motion carried.

HB 977 - Representative Bradley moved HB 977 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: Barnett, Bergsagel, Boharski, R. DeBruycker, Feland, Gilbert, Hoffman, Kasten, Knox, Peterson, Stang, Swysgood, Thoft, Wallin.
Total 14

Voted Absentee: Brooke, O'Keefe, Ayes.

Excused: D. Brown, Daily.
Total 2

Absent or not voting: Kadas, Lee, Spring.
Total 3

HB 990 - Representative S. Rice moved HB 990 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: Barnett, Bergsagel, Boharski, R. DeBruycker, Ellison, Fagg, Feland, Gilbert, R. Johnson, McCaffree, Mercer, Spring, Stang, Steppler, Thoft.
Total 15

Voted Absentee: Brooke, D. Brown, Daily, Ayes.

Excused: O'Keefe.
Total 1

Absent or not voting: Lee.
Total 1

HB 4 - Representative Bardanouve moved HB 4 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grinde, S. J. Hansen, H. S. Hanson, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 75

Noes: Bachini, Barnett, Bergsagel, Boharski, Cobb, Connelly, R. DeBruycker, Feland, Gilbert, M. Hanson, Hoffman, Peck, Ream, Simpkins, Swysgood, Thoft, Wanzenried.
Total 17

Voted Absentee: Brooke, D. Brown, O'Keefe, Ayes.

Excused: Daily.
Total 1

Absent or not voting: Driscoll, Grady, Harrington, Lee, McCarthy, Menahan, J. Rice.
Total 7

Representative Gilbert in the Chair at this time.

HB 77 - Representative Quilici moved HB 77 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, Pavlovich, Phillips, Quilici, Raney, Ream, Russell, Schye, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 71

Noes: Bergsagel, Boharski, Cromley, R. DeBruycker, Driscoll, Ellison, Fagg, Gilbert, Grinde, H. S. Hanson, Hoffman, R. Johnson, Kadas, Kasten, Knox, Mercer, L. Nelson, Peck, Peterson, S. Rice, Scott, Spring, Steppler, Tunby.
Total 24

Voted Absentee: D. Brown, Daily, Ayes.

Excused: Brooke, O'Keefe.
Total 2

Absent or not voting: Benedict, Lee, J. Rice.
Total 3

HB 125 - Representative Gervais moved HB 125 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 64

Noes: Bachini, Benedict, Bergsagel, Boharski, Clark, Cobb, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Feland, Foster, Gilbert, Grady, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, L. Nelson, T. Nelson, Peck, Peterson, Spring, Steppler, Swysgood, Thoft, Thomas, Zook.
Total 31

Voted Absentee: Brooke, Daily, O'Keefe, Ayes.

Excused: D. Brown.
Total 1

Absent or not voting: Becker, Grinde, J. Johnson, Lee.
Total 4

HB 299 - Representative S. Rice moved HB 299 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Boharski, Bradley, Brooke, Clark, Cocchiarella, Cody, Cohen, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Bergsagel, Cobb, Gilbert, Grinde, Swysgood, Thoft.
Total 6

Voted Absentee: Brooke, O'Keefe, Ayes.

Excused: D. Brown, Daily.
Total 2

Absent or not voting: Becker, J. Brown, Connelly, Gervais, J. Johnson, Lee, Strizich.
Total 7

HB 393 - Representative Cobb moved HB 393 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Cromley, Darko, Davis, Dolezal, Dowell, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Cody, Cohen, J. DeBruycker, R. DeBruycker, Elliott, Gilbert, Measure, L. Nelson, Southworth, Stang.
Total 10

Voted Absentee: Brooke, D. Brown, Ayes.

Excused: Daily, O'Keefe.
Total 2

Absent or not voting: Driscoll, J. Johnson.
Total 2

HB 477 - Representative Kadas moved HB 477 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Boharski, R. DeBruycker, Gervais, Gilbert, J. Johnson, R. Johnson, L. Nelson, Peck, Steppler, Whalen.
Total 10

Voted Absentee: Brooke, Daily, O'Keefe, Ayes.

Excused: D. Brown.
Total 1

Absent or not voting: Ellison, Grady, Hoffman.
Total 3

HB 595 - Representative Strizich moved HB 595 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Fagg, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, J. Johnson, Keller, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 66

Noes: Bergsagel, Boharski, Cody, Cromley, R. DeBruycker, Driscoll, Ellis, Ellison, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kadas, Kasten, Knox, Lee, McCaffree, Mercer, L. Nelson, T. Nelson, Scott, Steppler, Swysgood, Thoft, Tunby.
Total 29

Voted Absentee: Brooke, Daily, Ayes; Driscoll, No.

Excused: D. Brown, O'Keefe.
Total 2

Absent or not voting: Bardanouve, Grady, Hoffman.
Total 3

HB 731 - Representative Ream moved HB 731, second reading copy, be amended as follows (amendment #1):

1. Page 4, line 21.
Strike: "FORESTLAND"
Insert: "forest and"

2. Page 9, line 2.
Following: "bottom"
Strike: "and"
Insert: "or"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Peterson.
Total 1

Excused: D. Brown, Daily, Driscoll, O'Keefe.
Total 4

Absent or not voting: Bergsagel, Ellison, Grady, Hoffman.
Total 4

Representative Ream moved HB 731, as amended, do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 70

Noes: Bachini, Barnett, Beck, Bergsagel, Cobb, Cromley, R. DeBruycker, Ellis, Ellison, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, Knox, Lee, McCaffree, Messmore, Peterson, Phillips, Swysgood, Thoft, Tunby, Wallin, Zook.
Total 26

Voted Absentee: O'Keefe, Aye.

Excused: Daily, Driscoll.
Total 2

Absent or not voting: Keller, S. Rice.
Total 2

HB 746 - Representative Benedict moved HB 746, second reading copy, be amended as follows (amendment #1):

1. Page 1, line 22.
Strike: "Indians"
Insert: "all Montanans"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cromley, Darko, Davis, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, T. Nelson, Peck, Peterson, Phillips, Ream, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 56

Noes: Barnhart, Beck, Becker, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Gervais, S. J. Hansen, J. Johnson, Kimberley, McCulloch, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 41

Voted Absentee: O'Keefe, No.

Excused: Daily.
Total 1

Absent or not voting: Bradley, Ellison.
Total 2

Representative Russell moved HB 746, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Bergsagel, Boharski, Clark, R. DeBruycker, Feland, Gilbert, Kasten, Lee.
Total 8

Voted Absentee: Daily, O'Keefe, Ayes.

Excused: Driscoll.
Total 1

Absent or not voting: Bradley, Kadas.
Total 2

HB 804 - Representative Menahan moved HB 804 do pass. Motion carried as follows:

Ayes: Bardanouve, Beck, Becker, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Fagg, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 55

Noes: Bachini, Barnett, Barnhart, Benedict, Bergsagel, Boharski, Clark, Cobb, Cromley, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Ellison, Feland, Foster, Gilbert, Grady, Grinde, H. S. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, McCaffree, Mercer, L. Nelson, T. Nelson, Peck,

Peterson, Phillips, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 42

Voted Absentee: Daily, O'Keefe, Ayes.

Excused: None.
Total 0

Absent or not voting: D. Brown, M. Hanson, Russell.
Total 3

HB 927 - Representative Harrington moved HB 927 do pass. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 67

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Feland, Foster, Gilbert, Grady, Grinde, H. S. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, McCaffree, Peterson, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 30

Voted Absentee: Daily, Aye.

Excused: O'Keefe.
Total 1

Absent or not voting: Bardanouve, M. Hanson.
Total 2

HB 937 - Representative Stickney moved HB 937 do pass. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires,

Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: Barnett, Bergsagel, Clark, Cobb, R. DeBruycker, Ellison, Feland, Gilbert, Peterson, Spring, Swysgood, Thoft, Wallin.
Total 13

Voted Absentee: O'Keefe, Aye.

Excused: Daily.
Total 1

Absent or not voting: Bardanouve, M. Hanson, Simpkins.
Total 3

HB 963 - Representative Bardanouve moved HB 963 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Feland.
Total 1

Voted Absentee: O'Keefe, Aye.

Excused: Daily.
Total 1

Absent or not voting: Strizich.
Total 1

HB 978 - Representative Phillips moved HB 978 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J.

Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Cody, Scott.
Total 2

Excused: Daily, O'Keefe.
Total 2

Absent or not voting: Kadas.
Total 1

HB 999 - Representative Peck moved HB 999 do pass. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Darko, Davis, Dolezal, Dowell, Driscoll, Ellison, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 59

Noes: Barnett, Benedict, Bergsagel, Boharski, Bradley, Clark, Cobb, Cody, Connelly, Cromley, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Fagg, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, Mercer, Messmore, L. Nelson, Peterson, Phillips, Raney, Spring, Thomas, Tunby, Wallin.
Total 37

Voted Absentee: O'Keefe, Aye.

Excused: Daily.
Total 1

Absent or not voting: Bardanouve, Feland, Toole.
Total 3

HB 1008 - Representative Bardanouve moved HB 1008 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal,

Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 93

Noes: Bergsagel, R. DeBruycker, Grinde, Steppler.
Total 4

Voted Absentee: O'Keefe, Aye.

Excused: Daily, Mr. Speaker.
Total 2

Absent or not voting: Lee.
Total 1

HB 968 - Representative Brooke moved HB 968, second reading copy, be amended as follows (amendment #1):

1. Page 3, line 1.
Strike: "TATTOO,"

2. Page 3, line 25 through page 4, line 1.
Strike: subsection 11 in its entirety.

3. Page 4, line 5.
Following: "person"
Strike: "in a terminal condition"

4. Page 4, lines 19 and 20.
Following: "facilities" on line 19
Strike: "listed in subsections (1) (a) through (1) (d)"

5. Page 4, line 22.
Following: "person"
Strike: "with a terminal condition"

6. Page 5, line 4.
Following: "order"
Insert: "from a licensed physician"

7. Page 5, line 18.
Following: "person"
Strike: "with a terminal condition"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Boharski, Feland, Swysgood, Thoft.
Total 4

Excused: Daily.
Total 1

Absent or not voting: Connelly, R. DeBruycker, Kadas, T. Nelson, Peterson.
Total 5

Representative Brooke moved HB 968, as amended, do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 79

Noes: Bachini, Benedict, Boharski, R. DeBruycker, Feland, Lee, McCaffree, Peck, Peterson, Spring, Steppler, Swysgood, Thoft, Wallin, Whalen.
Total 15

Excused: Daily.
Total 1

Absent or not voting: Gilbert, Hoffman, Kadas, T. Nelson, J. Rice.
Total 5

HB 1010 - Representative D. Brown moved HB 1010 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody,

Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Bachini, Benedict, Cohen, Connelly, Measure, Peck, Southworth, Wanzenried.
Total 8

Voted Absentee: Daily, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Gilbert moved the adoption of the committee report. Report adopted. (82-14)

MOTIONS

Representative Benedict moved he be allowed to change his vote on HB 940, second reading, from yes to no. Motion carried.

Representative Fagg moved the rules be suspended to allow him to be recorded as voting no on HB 514, third reading. Motion carried.

Representative R. Johnson moved the rules be suspended to allow him to be recorded as voting yes on HB 696, second reading. Motion carried.

Representative J. Rice moved the rules be suspended to allow him to be recorded as voting yes on HB 520, second reading, the previous legislative day. Motion carried.

Representative J. Rice moved the rules be suspended to allow him to be recorded as voting yes on HB 803, second reading, the previous legislative day and yes on HB 803, third reading, this legislative day. Motion carried.

Representative Barnett moved he be allowed to change his votes on HB 2, third reading, from yes to no, HB 514, third reading, from yes to no and HB 414, second reading, from yes to no. Motion carried.

Representative Russell moved HB 103 be taken from the table in the Committee on Appropriations, printed, and placed on second and third readings this legislative day. Motion carried.

Representative Russell moved HB 981 be taken from the table in the Committee on Appropriations, printed, and placed on second and third readings this legislative day. Motion failed.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/28/91
Correctly engrossed: HB 2, HB 4, HB 5, HB 77, HB 103, HB 125, HB 299, HB 393, HB 414, HB 477, HB 528, HB 569, HB 595, HB 696, HB 731, HB 746, HB 804, HB 866, HB 906, HB 923, HB 927, HB 934, HB 937, HB 940, HB 963, HB 964, HB 968, HB 977, HB 978, HB 990, HB 999, HB 1008, HB 1010.
Correctly enrolled: HB 65, HB 131, HB 164, HB 174, HB 263, HB 361, HB 423, HB 567, HB 589, HB 602, HB 606, HB 625, HB 697, HB 726, HB 791, HB 798, HB 813, HB 817, HB 864, HB 881, HB 897, HB 915, HJR 14.
Examined by the sponsor and found to be correct:
HB 65 - Whalen
HB 131 - Brooke
HB 164 - Cobb
HB 174 - Grady
HB 263 - Driscoll
HB 361 - Harper
HB 423 - Kadas
HB 567 - Fagg
HB 589 - Peck
HB 602 - Driscoll
HB 606 - O'Keefe
HB 625 - L. Nelson
HB 697 - McCaffree
HB 726 - Bergsagel
HB 791 - Benedict
HB 798 - Quilici
HB 813 - O'Keefe
HB 817 - R. Johnson
HB 864 - Gould
HB 881 - R. Johnson
HB 897 - Zook
HB 915 - Cody
HJR 14 - Connelly

HUMAN SERVICES AND AGING (Russell, Chairman): 3/28/91
SB 172, third reading copy, be amended as follows:

1. Page 5, line 5.
Strike: "NO RISK FACTORS HAVE BEEN IDENTIFIED"
Insert: "the pregnancy is not a high-risk pregnancy"

2. Page 12, line 14.

Following: "K"
Strike: ","
Insert: "("

3. Page 12, line 15.
Following: "PREPARATIONS"
Strike: ","
Insert: ")"

4. Page 14, line 24.
Following: "through 23]"
Insert: "and if the other state extends similar privileges to direct-entry midwives licensed under [sections 1 through 4 and 6 through 23]"

5. Page 16, line 25.
Strike: "and"

6. Page 17, line 2.
Strike: "."
Insert: "; and"

7. Page 17.
Following: line 2
Insert: "(g) that a health care provider's liability in rendering care or assistance in good faith to a patient of a direct-entry midwife in an emergency situation is limited to damages caused by gross negligence or by willful or wanton acts or omissions."

And, as amended, be concurred in. Report adopted.

TAXATION (Harrington, Chairman): 3/28/91
HB 312, second reading copy, be amended as follows:

1. Title, line 13.
Following: "REIMBURSEMENTS;"
Insert: "TO PROVIDE FOR A STUDY OF FUNDING ALTERNATIVES BY THE STATE BAR OF MONTANA;"

2. Page 21.
Following: line 12
Insert: "NEW SECTION. Section 15. State bar of Montana -- study of funding alternatives. The state bar of Montana conducted a study that resulted in the enactment of the substantive portions of [this act], but recommended no source of funding other than an appropriation from the state general fund. The state bar is requested to continue the study and recommend a method of funding the substantive portions of [this act] to the 53rd legislature. The state bar should consider:

(1) the deposit of all or a portion of punitive damage awards into the reimbursement fund;

(2) the deposit of prejudgment interest into the reimbursement fund;

(3) increasing the control and supervision over district court budgets;

(4) deposit of increased filing and judgment fees into the reimbursement fund; and

(5) any other matter it considers germane to the financing and fiscal administration of state district courts."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 550, introduced bill, be amended as follows:

1. Title, line 10.
Following: "NEEDS;"
Insert: "TO PROVIDE A STATUTORY APPROPRIATION OF ADMINISTRATIVE FEES; AMENDING SECTION 17-7-502, MCA;"

2. Page 2, line 10.
Strike: "6"
Insert: "7"

3. Page 2, line 20.
Strike: "primary"

4. Page 2, line 21.
Following: line 20
Strike: "is"
Insert: "includes"

5. Page 2, line 24.
Strike: "an incidental part"
Insert: "less than 5%"
Strike: "dealership business"
Insert: "dealership's gross sales"

6. Page 3, line 8.
Strike: "within 30 days"
Insert: "on or before the last day of the month"

7. Page 3, line 13.
Following: "returns"
Insert: "-- statute of limitations"

8. Page 4, lines 1 through 13.
Strike: subsections (4) and (5) in their entirety
Insert: "(4) (a) If the department determines that the amount of taxes due is greater than the amount reported, it shall mail to the taxpayer a notice of the additional taxes proposed to be assessed. Within 30 days after mailing of the notice, the taxpayer may file with the department a written protest against the proposed additional taxes, setting forth the grounds upon which the protest is based, and may request in his protest an oral hearing or an opportunity to present additional evidence relating to his additional liability. If a protest

is not filed, the amount of the additional taxes proposed to be assessed becomes final upon expiration of the 30-day period. If a protest is filed, the department shall reconsider the proposed assessment and, if the taxpayer has so requested, shall grant the taxpayer an oral hearing. After consideration of the protest and the evidence presented at an oral hearing, the department's action upon the protest is final when it mails notice of its action to the taxpayer.

(b) When a deficiency is determined and the additional taxes become final, the department shall mail a notice and demand for payment to the taxpayer. The taxes are due and payable at the expiration of 10 days after the notice and demand were mailed. Interest on any deficiency assessment bears interest from the date specified in [section 3]. A certificate by the department of the mailing of the notices required by subsection (4) is prima facie evidence of the computation and levy of the deficiency in the taxes and of the giving of required notice.

(5) Except as provided in this section, a deficiency may not be assessed or collected with respect to the taxable period for which a return or report is filed unless the notice of the additional tax proposed to be assessed is mailed within 5 years from the date the return was filed. For purposes of this section, a return or report filed before the last day prescribed for filing is considered as filed on the last day. If the taxpayer, before the expiration of the period prescribed for assessment, consents in writing to an extended time, the assessment may be made at any time prior to the expiration of the period agreed upon.

(6) A refund or credit may not be allowed or paid with respect to the year for which a return or report is filed after 5 years from the last day prescribed for filing the return or report or after 1 year from the date of the overpayment, whichever period expires later, unless before the expiration of the period the taxpayer files a claim or the department determines the existence of the overpayment and approves the refund or credit. If the taxpayer has agreed in writing under the provisions of subsection (5) to extend the time within which the department may propose an additional assessment, the period within which a claim for refund or credit may be filed or a refund or credit allowed if no claim is filed is automatically extended.

(7) If a return is required to be filed and the taxpayer fails to file the return, the tax may be assessed or an action to collect the tax may be brought at any time. If a return is required to be filed and the taxpayer files a fraudulent return, the 5-year period provided for in subsection (6) does not begin until discovery of the fraud by the department."

9. Page 4, line 17.
Strike: "2%"
Insert: "10%"

10. Page 4, line 22.
Strike: "2%"
Insert: "10%"

11. Page 5.
Following: line 21
Insert: "NEW SECTION. Section 7. Special revenue account. (1) There is a rental car tax administration account in the state special revenue fund.

(2) All administrative fees collected under [section 6(1)] must be deposited by the department into the rental car tax administration account.

(3) The money in the rental car tax administration account is statutorily appropriated, as provided in 17-7-502, to the department to administer the rental car tax.

Section 8. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-9-202; 2-17-105; 2-18-812; 10-3-203; 10-3-312; 10-3-314; 10-4-301; 13-37-304; 15-1-111; 15-25-123; 15-31-702; 15-36-112; 15-37-117; 15-65-121; 15-70-101; 16-1-404; 16-1-410; 16-1-411; 17-3-212; 17-5-404; 17-5-424; 17-5-804; 19-8-504; 19-9-702; 19-9-1007; 19-10-205; 19-10-305; 19-10-506; 19-11-512; 19-11-513; 19-11-606; 19-12-301; 19-13-604; 20-6-406; 20-8-111; 20-9-361; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-1016; 23-5-1027; 27-12-206; 37-51-501; 39-71-2504; 53-6-150; 53-24-206; 61-2-406; 61-5-121; 67-3-205; 75-1-1101; 75-5-1108; 75-11-313; 76-12-123; 80-2-103; 82-11-136; 82-11-161; 90-3-301; 90-4-215; 90-4-613; 90-6-331; 90-9-306; [section 7]; and section 13, House Bill No. 861, Laws of 1985.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for such payments. (In subsection (3), pursuant to sec. 10, Ch. 664, L. 1987, the inclusion of 39-71-2504 terminates June 30, 1991.)"

NEW SECTION. Section 9. Coordination instruction. If Senate Bill No. 445 is passed and approved and if it includes a

section adopting a uniform tax appeal procedure, then the language contained in [section 4 (4) through (7)] is void and the provisions of Senate Bill No. 445 govern the appeal procedures."
Renumber: subsequent sections

12. Page 5, line 14.
Strike: "6"
Insert: "7"

13. Page 5, line 23.
Strike: "6"
Insert: "7"

14. Page 5, line 25.
Strike: "6"
Insert: "7"

And, as amended, do pass. Report adopted.

HB 764, introduced bill, be amended as follows:

1. Title, lines 6 and 7.
Strike: ", OPERATION AND MAINTENANCE"

Page 1, line 19.
Following: "type"
Strike: ":"
Insert: ","

2. Page 1, lines 21 and 22.
Strike: ", operation, and maintenance"

And, as amended, do pass. Report adopted.

HB 801, introduced bill, be amended as follows:

1. Title, line 7.
Following: "PROPERTY;"
Insert: "PROVIDING THAT UNPAID TAXES ON CLASS TWENTY-ONE PROPERTY ARE A LIEN ON ALL OTHER PROPERTY OWNED BY THE OWNER OF THE CLASS TWENTY-ONE PROPERTY;"

2. Title, line 8.
Following: "15-7-103,"
Strike: "AND"
Following: "15-8-111,"
Insert: "AND 15-16-403,"

3. Page 2, lines 11 through 13.
Strike: "twice" on line 11 through "15-6-134(2)(a)" on line 13
Insert: "8% of market value"

4. Page 3, line 6.

Following: "county"
Insert: "and may not be less than $100 per acre"

5. Page 6, line 10.
Following: "been"
Insert: ":
(i)"

6. Page 6, line 12.
Following: "activity"
Insert: "; and
(ii) listed as a national priority list site as defined in the federal Comprehensive, Environmental Response, Compensation, and Liability Act of 1980, as amended"

7. Page 12.
Following: line 15
Insert: "Section 7. Section 15-16-403, MCA, is amended to read:
"15-16-403. Lien on real property and improvements. (1) Every tax due upon real property is a lien against the property assessed, and every tax due upon improvements upon real estate assessed to other than the owner of the real estate is a lien upon the land and improvements, which several liens attach as of January 1 in each year.
(2) A tax due on class twenty-one property is a lien against all real and personal property owned by the owner of the class twenty-one property as well as a lien upon the property upon which the taxes are due.""
Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 809, introduced bill, be amended as follows:

1. Page 1, line 23.
Strike: "1.5%"
Insert: "1%"

And, as amended, do pass. Report adopted.

HB 856, introduced bill, be amended as follows:

1. Title, line 11.
Following: "WHO"
Insert: "RECEIVES THE SIGNAL FROM A COMMUNITY ANTENNA TELEVISION SYSTEM THAT"

2. Page 2, line 3.
Strike: ":"

3. Page 2, line 4.
Strike: "(i)"

4. Page 2, line 8.
Strike: "; or"
Insert: "."

5. Page 2, line 9.
Strike: "(ii)"
Insert: "(d) The taxpayer receives the services through the medium of a community antenna system that"

And, as amended, do pass. Report adopted.

HB 869, introduced bill, be amended as follows: 3/27/91

1. Title, line 6.
Following: "CROPS"
Insert: "RAISED ON PROPERTY THAT CONSISTS OF AT LEAST 10 CONTIGUOUS ACRES"

2. Page 6, line 11.
Strike: "Contiguous"
Insert: "Except as provided in subsection (8), contiguous"

3. Page 7, line 23.
Following: line 22
Insert: "(8) Property upon which sod, ornamental, nursery, or horticultural crops are raised, grown, or produced must consist of at least 10 contiguous acres before the property is eligible to be classified as agricultural land."

And, as amended, do pass. Report adopted.

HB 894, introduced bill, be amended as follows: 3/28/91

1. Title, line 6.
Following: "FOUNDATIONS"
Insert: "AND MONTANA PRIVATE COLLEGES OR THEIR FOUNDATIONS"

2. Page 1, line 16.
Strike: "15-31-121"
Insert: "15-31-101"

3. Page 1, line 20.
Following: "foundations"
Insert: "or a general endowment fund of a Montana private college or its foundation"

4. Page 2, line 1.
Following: "(3)"
Insert: "(a)"

5. Page 2, line 3.
Following: "system"
Insert: "or a Montana private college"

6. Page 2.
Following: line 5
Insert: "(b) For the purposes of this section, "Montana private college" means a nonprofit private educational institution:

(i) whose main campus and primary operations are within the state; and

(ii) that offers baccalaureate degree level education and is accredited for that purpose by a national or regional accrediting agency recognized by the board of regents of higher education.

NEW SECTION. Section 2. Contribution by small business corporation. A contribution to a general endowment fund of the Montana university system [or a Montana private college] by a small business corporation, as defined in 15-31-201, qualifies for the credit in [section 1]. The credit must be attributed to shareholders, using the same proportion used to report the corporation's income or loss for Montana income tax purposes.

NEW SECTION. Section 3. Contribution by partnership. A contribution to a general endowment fund of the Montana university system [or a Montana private college] by a partnership qualifies for the credit in [section 1]. The credit must be attributed to partners, using the same proportion used to report the partnership's income or loss for Montana tax purposes.

NEW SECTION. Section 4. Codification instruction. (1) [Section 1] is intended to be codified as an integral part of Title 15, chapter 30, part 1, and the provisions of Title 15, chapter 30, part 1, apply to [section 1].

(2) [Sections 2 and 3] are intended to be codified as an integral part of Title 15, chapter 31, part 1, and the provisions of Title 15, chapter 31, part 1, apply to [sections 2 and 3]."
Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 904, introduced bill, do pass. Report adopted.
HB 949, introduced bill, do pass. Report adopted.
HB 986, introduced bill, be amended as follows:

1. Page 5, line 10.
Following: "exported"
Insert: "or sold to the federal defense fuel supply center"

And, as amended, do pass. Report adopted.

HB 993, introduced bill, be amended as follows:

1. Page 3, lines 11 through 14.
Following: "(4)"
Strike: remainder of subsection (4) in its entirety
Insert: "(a) Except as provided in subsection (4)(b), contributions ordered under this section and each modification of an existing order are

enforceable by immediate or delinquency income withholding, or both, under Title 40, chapter 5, part 4. An order for contribution that is inconsistent with this section is nevertheless subject to withholding for the payment of the contribution without need for an amendment of the support order or for any further action by the court.

(b) A court-ordered exception from contributions under this section must be in writing and be included in the order. An exception from the immediate income withholding requirement may be granted if the court finds there is:

(i) good cause not to require immediate income withholding; or

(ii) there is an alternative arrangement between the department and the person who is ordered to pay contributions.

(c) A finding of good cause not to require immediate income withholding must, at a minimum, be based upon:

(i) a written determination and explanation by the court of the reasons why the implementation of immediate income withholding is not in the best interests of the child; and

(ii) proof of timely payment of previously ordered support in cases involving modification of contributions ordered under this section.

(d) An alternative arrangement must:

(i) provide sufficient security to ensure compliance with the arrangement;

(ii) be in writing and be signed by a representative of the department and the person required to make contributions; and

(iii) if approved by the court, be entered into the record of the proceeding."

2. Page 3, lines 19 through 23.
Following: "(6)" on line 19
Strike: the remainder of subsection (6) in its entirety
Insert: "(a) If the court orders the payment of contributions under this section, the department shall apply to the department of social and rehabilitation services for support enforcement services pursuant to Title IV-D of the Social Security Act.

(b) The department of social and rehabilitation services may collect and enforce a contribution order under this section by any means available under law, including the remedies provided for in Title 40, chapter 5, parts 2 and 4."

3. Page 5, lines 13 through 25.
Following: "(6)"
Strike: remainder of subsection (6) and all of subsections (7) and (8) in their entirety
Insert: "(a) Except as provided in subsection (6)(b), contributions ordered under this section and each modification of an existing order are enforceable by immediate or delinquency income withholding, or both, under Title 40, chapter 5, part 4. An order for contribution that is inconsistent with this section is nevertheless subject to withholding for the payment of the contribution without need for

an amendment of the support order or for any further action by the court.

(b) A court-ordered exception from contributions under this section must be in writing and be included in the order. An exception from the immediate income withholding requirement may be granted if the court finds there is:

(i) good cause not to require immediate income withholding; or

(ii) there is an alternative arrangement between the department and the person who is ordered to pay contributions.

(c) A finding of good cause not to require immediate income withholding must, at a minimum, be based upon:

(i) a written determination and explanation by the court of the reasons why the implementation of immediate income withholding is not in the best interests of the child; and

(ii) proof of timely payment of previously ordered support in cases involving modification of contributions ordered under this section.

(d) An alternative arrangement must:

(i) provide sufficient security to ensure compliance with the arrangement;

(ii) be in writing and be signed by a representative of the department and the person required to make contributions; and

(iii) if approved by the court, be entered into the record of the proceeding.

(7) (a) If the court orders the payment of contributions under this section, the department shall apply to the department of social and rehabilitation services for support enforcement services pursuant to Title IV-D of the Social Security Act.

(b) The department of social and rehabilitation services may collect and enforce a contribution order under this section by any means available under law, including the remedies provided for in Title 40, chapter 5, parts 2 and 4."

4. Page 14, lines 8 through 11.
Following: "(10)"
Strike: remainder of subsection (10) in its entirety
Insert: "(a) Except as provided in subsection (10)(b), contributions ordered under this section and each modification of an existing order are enforceable by immediate or delinquency income withholding, or both, under Title 40, chapter 5, part 4. An order for contribution that is inconsistent with this section is nevertheless subject to withholding for the payment of the contribution without need for an amendment of the support order or for any further action by the court.

(b) A court-ordered exception from contributions under this section must be in writing and be included in the order. An exception from the immediate income withholding requirement may be granted if the court finds there is:

(i) good cause not to require immediate income withholding; or

(ii) there is an alternative arrangement between the department and the person who is ordered to pay contributions.

(c) A finding of good cause not to require immediate income withholding must, at a minimum, be based upon:

(i) a written determination and explanation by the court of the reasons why the implementation of immediate income withholding is not in the best interests of the child; and

(ii) proof of timely payment of previously ordered support in cases involving modification of contributions ordered under this section.

(d) An alternative arrangement must:

(i) provide sufficient security to ensure compliance with the arrangement;

(ii) be in writing and be signed by a representative of the department and the person required to make contributions; and

(iii) if approved by the court, be entered into the record of the proceeding."

5. Page 14, lines 16 through 20.
Following: "(12)" on line 19
Strike: the remainder of subsection (12) in its entirety
Insert: "(a) If the court orders the payment of contributions under this section, the department shall apply to the department of social and rehabilitation services for support enforcement services pursuant to Title IV-D of the Social Security Act.

(b) The department of social and rehabilitation services may collect and enforce a contribution order under this section by any means available under law, including the remedies provided for in Title 40, chapter 5, parts 2 and 4."

6. Page 22, line 6.
Following: "~~41-3-1123~~"
Insert: "41-3-406, and 41-3-1122"

And, as amended, do pass. Report adopted.

HB 996, introduced bill, be amended as follows:

1. Title, line 9.
Following: "15-30-128,"
Insert: "15-30-145, 15-30-149,"

2. Title, line 13
Following: "15-30-105,"
Insert: "15-30-106,"

3. Title, line 17
Strike: "AND"
Following: "19-13-1003,"
Insert: "AND 80-12-211,"

4. Title, line 18.
Strike: "A RETROACTIVE"
Insert: "AN"

5. Page 3, lines 13 and 14.
Strike: "within the meaning of"
Strike: "[section 6(2)(c)]" on line 14

6. Page 4, lines 15 and 16.
Strike: "within the meaning of"
Strike: "[section 6(2)(c)]" on line 16

7. Page 9.
Following: line 12
Insert: "(7) "Montana adjusted gross income" means the amount of income a nonresident or part-year resident receives from sources within Montana. The term does not include income exempted from state taxation under the laws or constitution of the United States."
Renumber: subsequent subsections

8. Page 10, line 9.
Strike: "federal"
Following: "adjusted"
Insert: "federal"

9. Page 10, line 13.
Strike: "federal"
Following: "adjusted"
Insert: "federal"

10. Page 10, line 17.
Strike: "Federal adjusted"
Insert: "Adjusted federal"

11. Page 10, line 21 through page 11, line 3.
Strike: "income" on page 10, line 21 through "resident." on page 11, line 3
Insert: "Income exempted from state taxation under the laws or constitution of the United States may be deducted."

12. Page 11, line 4.
Strike: "(3)"
Insert: "(b)"
Renumber: subsequent subsections

13. Page 11, line 17 through page 12, line 4.
Strike: subsections (4) and (5) in their entirety
Insert: "(3) (a) Except as provided in subsection (3)(b), a nonresident's federal income tax liability for purposes of determining his state income tax liability pursuant to [section 7] is the taxpayer's federal tax liability multiplied by the percentage derived from dividing the taxpayer's Montana adjusted gross income by the taxpayer's federal adjusted gross income.

(b) If a nonresident's federal adjusted gross income is zero or a loss, then his federal income tax liability for purposes of determining his state income tax liability pursuant to [section 7] is the full amount of his federal tax liability."

14. Page 12, lines 5 through 9.
Following: "tax." on line 5
Strike: the remainder of section 7 in its entirety
Insert: "(1) The rate of state income tax is 30% of the sum of a taxpayer's federal income tax liability less federal credits.

(2) If a taxpayer has adjusted his federal taxable income as provided in [section 6(2)], he shall recompute his federal income tax liability, less credits, before applying the 30% rate.

(3) A taxpayer's federal tax liability includes the tax and penalty on early distributions from individual retirement accounts or qualified retirement plans. A taxpayer's federal income tax liability does not include self-employment tax or the social security tax on tips."

15. Page 12, lines 14 through 20.
Following: "state" on line 14
Insert: ", including gain and interest received from the installment sales of property"
Strike: "It" on line 14 through "state." on line 20

16. Page 13, line 1.
Insert: "NEW SECTION. Section 9. Nonresident alternative gross receipts tax. Pursuant to the provisions of Article III, section 2, of the Multistate Tax Compact, every nonresident taxpayer required to file a return and whose only activity in Montana consists of making sales and who does not own or rent real estate or tangible personal property within Montana and whose annual gross volume of sales made in Montana during the taxable year does not exceed $100,000 may elect to pay an income tax of 1/2 of 1% of the dollar volume of gross sales made in Montana during the taxable year. Such tax shall be in lieu of the tax imposed under [section 6]. The gross volume of sales made in Montana during the taxable year shall be determined according to the provisions of Article IV, sections 16 and 17, of the Multistate Tax Compact."
Renumber: subsequent sections

17. Page 13, line 2.
Following: "individual"
Insert: ", married couple filing a joint federal return,"

18. Page 13, line 3.
Following: "return"
Insert: ", using the same filing status used to file the taxpayer's federal return,"

19. Page 13, line 6.
Strike: "6(5)"
Insert: "7"

20. Page 13, line 9.
Following: "(c)"

Insert: "a complete copy of the federal individual income tax return and all supporting schedules as filed, a copy of any amended federal individual income tax return filed, and"

21. Page 13, line 24.
Following: "(2)"
Insert: "As soon as practicable after the current year's tax return is filed, the department shall examine and verify the tax."

22. Page 14, line 1.
Strike: "30"
Insert: "90"

23. Page 14.
Following: line 2
Insert: "(3) If the amount of tax due is greater than the amount paid, the difference must be paid by the taxpayer to the department within 60 days after notice of the amount of the tax due. If payment is made after 60 days, interest must be added at the rate of 9% per year on the additional tax. A penalty may not be assessed if the deficiency is paid within 60 days after the first notice of the amount due is mailed to the taxpayer."
Renumber: subsequent subsections

24. Page 14.
Following: line 8
Insert: "Section 12. Section 15-30-145, MCA, is amended to read:

"15-30-145. Revision of return by department -- examination of records and persons. (1) If, in the opinion of the department, any return of a taxpayer is in any essential respect incorrect, it may revise such return. The department may revise the return to determine the taxpayer's correct federal taxable income regardless of whether the internal revenue service has revised the taxpayer's reported federal taxable income. If any taxpayer fails to make return as herein required, the department is authorized to make an estimate of the taxable income of such taxpayer from any information in its possession and to audit and state an account according to such return or the estimate so made by it for the taxes, penalties, and interest due the state from such taxpayer. Except in the case of a person who, with intent to evade the tax, purposely or knowingly files a false or fraudulent return violating the provisions of this chapter, the amount of tax due under any return shall be determined by the department within 5 years after the return was made and the department thereafter shall be barred from revising any such returns or recomputing the tax due thereon, and no proceeding in court for the collection of such tax shall be instituted after the expiration of said period, notwithstanding the provisions of 15-30-322. The department may revise the return to determine the taxpayer's correct federal taxable income within 5 years after the return was made regardless of whether the federal statute of limitations has run. In the case of a person who, with intent to evade the tax, purposely or knowingly files a false or fraudulent return violating the provisions of this

chapter, the amount of tax due may be determined at any time after the return is filed and the tax may be collected at any time after it becomes due and, where no return has been filed, the tax may be assessed at any time.

(2) The department, for the purpose of ascertaining the correctness of any return or for the purpose of making an estimate of taxable income of any person where information has been obtained, may also examine or cause to have examined by any agent or representative designated by it for that purpose any books, papers, or records of memoranda bearing upon the matters required to be included in the return and may require the attendance of the person rendering the return or any officer or employee of such person or the attendance of any person having knowledge in the premises and may take testimony and require proof material for its information, with power to administer oaths to such person or persons. The department may exercise this power regardless of whether the internal revenue service has revised the taxpayer's reported federal taxable income and regardless of whether the federal statute of limitations has run."

Section 13. Section 15-30-149, MCA, is amended to read:

"15-30-149. Credits and refunds -- period of limitations. (1) If the department discovers from the examination of a return or upon claim duly filed by a taxpayer or upon final judgment of a court that the amount of income tax collected is in excess of the amount due or that any penalty or interest was erroneously or illegally collected, the amount of the overpayment shall be credited against any income tax, penalty, or interest then due from the taxpayer and the balance of such excess shall be refunded to the taxpayer.

(2) (a) A credit or refund under the provisions of this section may be allowed only if, prior to the expiration of the period provided by 15-30-145 and by 15-30-146 during which the department may determine tax liability, the taxpayer files a claim or the department determines there has been an overpayment.

(b) If an overpayment of tax results from a net operating loss carryback, the overpayment may be refunded or credited within the period that expires on the 15th day of the 40th month following the close of the taxable year of the net operating loss if that period expires later than 5 years from the due date of the return for the year to which the net operating loss is carried back.

(3) Within 6 months after an amended return, a delinquent return, or a claim for refund is filed, the department shall examine ~~said~~ the return or claim and either approve or disapprove it. If ~~said~~ the return or claim is approved, the credit or refund shall be made to the taxpayer within 60 days after the claim is approved; if the return or claim is disallowed, the department shall so notify the taxpayer and shall grant a hearing thereon upon proper application by the taxpayer. If the department disapproves a claim for refund, review of the determination of the department may be had as otherwise provided in this chapter.

(4) Except as hereinafter provided for, interest shall be allowed on overpayments at the same rate as is charged on

delinquent taxes due from the due date of the return or from the date of the overpayment (whichever date is later) to the date the department approves refunding or crediting of the overpayment. With respect to tax paid by withholding or by estimate, the date of overpayment shall be deemed to be the date on which the return for the taxable year was due. No interest shall accrue on an overpayment if the taxpayer elects to have it applied to his estimated tax for the succeeding taxable year, nor shall interest accrue during any period the processing of a return or claim for refund is delayed more than 30 days by reason of failure of the taxpayer to furnish information requested by the department for the purpose of verifying the amount of the overpayment. No interest shall be allowed if:

(a) the overpayment is refunded within 6 months from the date the return is due or the date the return is filed, whichever date is later;

(b) the overpayment results from the carryback of a net operating loss; or

(c) the amount of interest is less than $1.

(5) An overpayment not made incident to a bona fide and orderly discharge of an actual income tax liability or one reasonably assumed to be imposed by this law shall not be considered an overpayment with respect to which interest is allowable.""

Renumber: subsequent sections

25. Page 25, line 1.
Strike: "10"
Insert: "11"

26. Page 31, line 23.
Strike: "10"
Insert: "11"

27. Page 33, lines 16.
Strike: "within the meaning of"

28. Page 33, line 17
Strike: "[section 6(2)(c)]"

Page 39, line 12.
Following: "investments."
Insert: "(1)"

29. Page 39, line 17.
Following: "Montana"
Strike: "during the"

30. Page 39, line 20.
Following: "15-30-105,"
Insert: "15-30-106,"

31. Page 39, line 24.

Strike: "and"
Following: "19-13-1003,"
Insert: "and 80-12-211,"

32. Page 40, line 3.
Strike: "10"
Insert: "11"

33. Page 40, line 5.
Strike: "10"
Insert: "11"

34. Page 40.
Following: line 8
Insert: "NEW SECTION. Section 35. Coordination instruction. (1) If Senate Bill No. 333 is passed and approved, then the language in [section 6(3) of this act] is void.

(2) If Senate Bill No. 445 is passed and approved, then the appeal provisions contained in that bill govern the appeal provisions set forth in [this act] and the 90-day provision in [section 10 of this act] must be changed to 60 days."
Renumber: subsequent sections

Page 40, line 19.
Strike: "Retroactive applicability"
Insert: "Applicability"

35. Page 40, lines 20 and 21.
Strike: "retroactively, within the meaning of 1-2-109,
Strike: "1990" on line 21
Insert: "1991"

And, as amended, do pass. Report adopted.

HB 1007, introduced bill, be amended as follows:

1. Page 2, line 18.
Following: "education"
Strike: "$15,125,701"
Insert: "$14,204,499"

2. Page 3, line 5.
Strike: "517,408 1,750,925"
Insert: "72,016 1,305,533"

3. Page 3, line 9.
Strike: "$164,032 $399,231"
Insert: "$149,641 $383,204"

And, as amended, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 782
Report No. 1, March 27, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered House Bill 782 (reference copy -- salmon) and recommend it be amended as follows:

1. Page 8, line 10.
Following: "vehicles"
Strike: "IN URBAN AREAS"

2. Page 8, line 14.
Following: "OWNER."
Insert: "Small accumulations of salvageable vehicles or component parts, none of which are offered for sale, retained by active farming or ranching operations for repair and maintenance of vehicles, or agricultural equipment used in their operations, are exempted from this requirement."

And this Free Conference Committee report be adopted.

For the House:	For the Senate:
Hansen, Chair	Yellowtail
Kilpatrick	Franklin
Grady	Devlin

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the free conference committee on HB 244:

Representative Darko, Chairman
Representative Kadas
Representative Thomas

MOTIONS

Representative Davis moved HB 317 be taken from the table in the Committee on Education and Cultural Resources, printed, and placed on second and third readings this legislative day. Motion failed.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 414 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 66

Noes: Bachini, Barnett, Benedict, Bergsagel, Clark, Cobb, Cody, R. DeBruycker, Ellis, Ellison, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Mercer, Messmore, T. Nelson, Peterson, Phillips, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 33

Excused: Daily.
Total 1

Absent or not voting: None.
Total 0

HB 569 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 88

Noes: Bardanouve, Bergsagel, Driscoll, Ellison, Feland, Gilbert, Lee, Peck, Phillips, Swysgood, Thoft, Wyatt.
Total 12

Voted Absentee: Daily, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 696 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Forrester, Galvin, Gervais, Grady, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 71

Noes: Bachini, Benedict, Bergsagel, Boharski, Cobb, Cromley, R. DeBruycker, Driscoll, Ellison, Feland, Foster, Gilbert, Gould, Grinde, H. S. Hanson, Hayne, Kasten, Lee, Mercer, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Steppler, Swysgood, Thoft, Thomas, Zook.
Total 29

Voted Absentee: Daily, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 906 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Bachini, Bergsagel, Cobb, R. DeBruycker, Feland, Grinde, Lee, Messmore, Peck, Phillips, Spring, Swysgood, Thoft, Thomas, Tunby.
Total 15

Voted Absentee: Daily, Aye.

Excused: None.
Total 0

Absent or not voting: S. Rice.
Total 1

HB 923 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Barnett, R. DeBruycker, Driscoll, Feland, Gilbert, Thoft.
Total 6

Voted Absentee: Daily, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 934 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Feland, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, T. Nelson, Nisbet, Peck, Peterson, Phillips, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 82

Noes: Bachini, D. Brown, Daily, J. DeBruycker, Driscoll, Forrester, Gilbert, Harrington, McCarthy, Menahan, L. Nelson, O'Keefe, Pavlovich, Quilici, Raney, Stang, Wyatt.
Total 17

Voted Absentee: Daily, No.

Excused: None.
Total 0

Absent or not voting: Ellison.
Total 1

HB 940 passed as follows:

Ayes: Bardanouve, Barnhart, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Dolezal, Dowell, Driscoll, Elliott, Fagg, Galvin, Gervais, Grady, Grinde, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 56

Noes: Bachini, Barnett, Beck, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, Cromley, Davis, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Feland, Forrester, Foster, Gilbert, Gould, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, McCarthy, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Simpkins, Spring, Stang, Steppler, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 43

Voted Absentee: Daily, Aye.

Excused: None.
Total 0

Absent or not voting: Phillips.
Total 1

HB 964 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 81

Noes: Bachini, Bergsagel, Clark, Cobb, R. DeBruycker, Driscoll, Feland, Grinde, Hayne, Kasten, L. Nelson, Phillips, Stang, Swysgood, Thoft, Thomas, Wyatt.
Total 17

Excused: Daily.
Total 1

Absent or not voting: Kadas.
Total 1

HB 968 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 77

Noes: Bachini, Benedict, Boharski, D. Brown, Cromley, R. DeBruycker, Ellison, Feland, Gilbert, Grinde, Lee, Peck, Peterson, Quilici, Spring, Stang, Steppler, Swysgood, Thoft, Wallin, Whalen.
Total 21

Excused: Daily.
Total 1

Absent or not voting: T. Nelson.
Total 1

HB 977 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: Barnett, Bergsagel, Boharski, R. DeBruycker, Ellison, Feland, Gilbert, H. S. Hanson, Hoffman, Kasten, Knox, Lee, McCaffree, Peterson, Phillips, Stang, Swysgood, Thoft, Wallin.
Total 19

Voted Absentee: Daily, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 990 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Barnett, Bergsagel, Boharski, R. DeBruycker, Ellison, Fagg, Feland, Gilbert, H. S. Hanson, Lee, McCaffree, Spring, Stang, Steppler.
Total 14

Voted Absentee: Daily, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 1010 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Bachini, Benedict, Connelly, Measure, Southworth, Wanzenried.
Total 6

Voted Absentee: Daily, Aye.

Excused: None.
Total 0

Absent or not voting: S. J. Hansen.
Total 1

HB 4 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 79

Noes: Bachini, Barnett, Bergsagel, Boharski, D. Brown, Cobb, Cody, Connelly, R. DeBruycker, Driscoll, Feland, Gilbert, M. Hanson, Lee, Menahan, Peck, Ream, Simpkins, Spring, Swysgood, Thoft.
Total 21

Voted Absentee: Daily, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 5 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Bradley, Brooke, J. Brown, Clark, Cobb, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Fagg, Forrester, Galvin, Gervais, Gould, S. J. Hansen, H. S. Hanson, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Madison, McCulloch, Measure, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 68

Noes: Beck, Bergsagel, Boharski, D. Brown, Cocchiarella, Daily, R. DeBruycker, Driscoll, Elliott, Ellis, Ellison, Feland, Foster, Gilbert, Grady, M. Hanson, Harrington, Hayne, Hoffman, Kasten, Keller, Lee, McCaffree, McCarthy, Menahan, Mercer, Pavlovich, Peck, Scott, Spring, Whalen.
Total 31

Voted Absentee: Daily, No.

Excused: None.
Total 0

Absent or not voting: Grinde.
Total 1

HB 77 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Ellis, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 75

Noes: Bergsagel, Boharski, Cromley, R. DeBruycker, Driscoll, Elliott, Ellison, Fagg, Gilbert, Grinde, H. S. Hanson, Hoffman, R. Johnson, Kadas, Kasten, Knox, Lee, Mercer, Peterson, S. Rice, Scott, Spring, Steppler, Tunby.
Total 24

Excused: Daily.
Total 1

Absent or not voting: None.
Total 0

HB 125 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 71

Noes: Bachini, Benedict, Bergsagel, Boharski, Clark, Cobb, J. DeBruycker, R. DeBruycker, Ellison, Gilbert, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Spring, Steppler, Swysgood, Thoft, Thomas, Zook.
Total 29

Voted Absentee: Daily, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 299 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Bergsagel, Cobb, Gilbert, H. S. Hanson, Lee, Swysgood, Thoft.
Total 7

Excused: Daily.
Total 1

Absent or not voting: None.
Total 0

HB 393 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Cromley, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Cody, Cohen, J. DeBruycker, R. DeBruycker, Measure, L. Nelson, Southworth, Stang, Whalen.
Total 9

Excused: Daily.
Total 1

Absent or not voting: None.
Total 0

HB 477 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Boharski, Clark, R. DeBruycker, Gilbert, R. Johnson, Measure, Peck, Raney, Steppler, Whalen.
Total 10

Voted Absentee: Daily, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 528 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 70

Noes: Beck, Bergsagel, Boharski, D. Brown, Connelly, Daily, R. DeBruycker, Driscoll, Ellis, Ellison, Feland, Foster, Grady, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Knox, McCarthy, Menahan, Mercer, Pavlovich, Peterson, Phillips, Quilici, Scott, Swysgood, Thoft, Whalen.
Total 30

Voted Absentee: Daily, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 595 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Fagg, Forrester, Galvin, Gervais, Gould, Grady, Harrington, Hoffman, J. Johnson, Keller, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 67

Noes: Bardanouve, Bergsagel, Boharski, Cody, Cromley, R. DeBruycker, Driscoll, Elliott, Ellis, Ellison, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kadas, Kasten, Knox, Lee, McCaffree, Mercer, L. Nelson, Peck, Peterson, Scott, Steppler, Swysgood, Thoft, Tunby.
Total 32

Voted Absentee: Daily, Aye.

Excused: None.
Total 0

Absent or not voting: S. J. Hansen.
Total 1

HB 731 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 73

Noes: Bachini, Beck, Bergsagel, Boharski, Cobb, Cromley, R. DeBruycker, Elliott, Ellison, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Knox, Lee, McCaffree, Messmore, Peck, Peterson, Phillips, Swysgood, Thoft, Wallin, Zook.
Total 26

Excused: Daily.
Total 1

Absent or not voting: None.
Total 0

HB 746 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Bergsagel, Boharski, Clark, R. DeBruycker, Ellison, Feland, Gilbert, Lee, Peterson, Spring.
Total 10

Voted Absentee: Daily, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 804 passed as follows:

Ayes: Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 56

Noes: Bachini, Bardanouve, Barnett, Barnhart, Benedict, Bergsagel, Boharski, Clark, Cobb, Connelly, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 44

Voted Absentee: Daily, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 927 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 68

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cromley, R. DeBruycker, Ellis, Ellison, Feland, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, McCaffree, Measure, Peterson, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 31

Voted Absentee: Daily, Aye.

Excused: None.
Total 0

Absent or not voting: S. Rice.
Total 1

HB 937 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: Barnett, Bergsagel, Clark, Cobb, R. DeBruycker, Ellison, Feland, Gilbert, Hayne, Lee, Peterson, Phillips, Spring, Swysgood, Thoft, Wallin.
Total 16

Excused: Daily.
Total 1

Absent or not voting: Darko.
Total 1

HB 963 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: Daily, Aye.

Excused: None.
Total 0

Absent or not voting: Ellison, Kasten, S. Rice.
Total 3

HB 978 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich,

Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Cody, O'Keefe, Peterson, Scott.
Total 4

Voted Absentee: Daily, Aye.

Excused: None.
Total 0

Absent or not voting: S. Rice.
Total 1

HB 999 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Ellison, Forrester, Galvin, Gervais, Grinde, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 59

Noes: Barnett, Becker, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, Cromley, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Fagg, Feland, Foster, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, Raney, Simpkins, Spring, Thomas, Tunby, Wallin.
Total 39

Voted Absentee: Daily, Aye.

Excused: None.
Total 0

Absent or not voting: Stang, Toole.
Total 2

HB 1008 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips,

Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Bergsagel, R. DeBruycker, Grinde, Steppler.
Total 4

Voted Absentee: Daily, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Representative Simpkins moved he be allowed to change his vote on HB 4, third reading, from yes to no. Motion carried.

Representative Foster moved he be allowed to change his vote on HB 125, third reading, from no to yes. Motion carried.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Darko moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Gilbert in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 103 - Representative Russell moved HB 103 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Darko, Dolezal, Dowell, Driscoll, Elliott, Galvin, Gervais, Gould, S. J. Hansen, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 56

Noes: Bachini, Barnett, Benedict, Bergsagel, Clark, Cromley, Davis, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Knox, Lee, McCaffree, Mercer, L. Nelson, T. Nelson, Peck,

Peterson, Phillips, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Wallin, Zook.
Total 41

Voted Absentee: Elliott, Larson, Ayes.

Excused: Daily.
Total 1

Absent or not voting: Connelly, Harrington.
Total 2

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Gilbert moved the adoption of the committee report. Report adopted. (61-33)

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 103 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Darko, Davis, Dolezal, Dowell, Elliott, Galvin, Gervais, Gould, S. J. Hansen, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 56

Noes: Bachini, Barnett, Benedict, Bergsagel, Clark, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Knox, Lee, McCaffree, Mercer, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Wallin, Zook.
Total 40

Voted Absentee: Larson, Aye.

Excused: Daily.
Total 1

Absent or not voting: Connelly, Driscoll, Harrington.
Total 3

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:00 p.m., Monday, April 1, 1991. Motion carried.

House adjourned at 2:00 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

SIXTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
April 1, 1991

House Chambers
State Capitol

House convened at 1:10 p.m. Mr. Speaker in the Chair. Invocation by Representative Kimberley. Pledge of Allegiance to the Flag.

Roll call. All members present except Gilbert, Steppler, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/1/91
Correctly printed: HB 312, HB 550, HB 764, HB 801, HB 809, HB 856, HB 869, HB 894, HB 904, HB 949, HB 986, HB 993, HB 996, HB 1007.
Signed by the Speaker at 10:00 a.m., 4/1/91: HB 65, HB 131, HB 164, HB 174, HB 263, HB 361, HB 423, HB 567, HB 589, HB 602, HB 606, HB 625, HB 697, HB 726, HB 791, HB 798, HB 813, HB 817, HB 864, HB 881, HB 897, HB 915, HJR 14.

JUDICIARY (Strizich, Chairman): 4/1/91
SB 270, third reading copy, be amended as follows:

1. Page 1, lines 13 through 23.
Strike: lines 13 through 23 in their entirety

2. Page 2, line 4 through page 3, line 10.
Strike: subsection (1) in its entirety
Renumber: subsequent subsections

3. Page 3, line 16.
Strike: "[6)(A)]"
Insert: "(5)(a)"

4. Page 4, line 7.
Following: "~~business~~"
Insert: "business,"

5. Page 4, line 11.
Strike: "A CRANE"
Insert: "an amusement"

6. Page 4, lines 14 and 16.
Following: "A"
Insert: "wholesale"

7. Page 4, lines 21 and 22.
Strike: "THE AMUSEMENT" on line 21 through "4]" on line 22
Insert: "The sale of a right to participate, the determination of winners, and the distribution of prizes all occur in the presence of all players"

8. Page 4, line 25 through page 5, line 1.
Strike: "The fee" on page 4, line 25 through "$2" on page 5, line 1
Insert: "The player pays cash for the right to play the game"

9. Page 5, line 2.
Following: "awarded"
Insert: ", and only a prize is awarded. Prizes must be displayed and may not be repurchased"

10. Page 5, line 9.
Strike: "during the play"

11. Page 5, line 10.
Strike: "by any person"

12. Page 6, line 2
Following: "MAY"
Insert: "not"

13. Page 6, line 11.
Strike: "CRANE"
Insert: "amusement"

14. Page 6, line 14.
Strike: "A CRANE"
Insert: "an amusement"

15. Page 6, lines 20 through 23.
Strike: section 4 in its entirety
Insert: "NEW SECTION. Section 4. Amusement games allowed. (1) Crane games, as defined in [section 1], and the games described in subsection (2) may be made available for public play.

(2) (a) Fish pond (duck pond). The player catches a fish or other object floating in a pond of water by using a pole, hand, net, or string. All fish or objects are marked on the bottom, indicating the size of prize the player wins. The player is awarded a prize each time, and the player must be allowed to continue playing until a prize is won.

(b) Hoop or ring toss. The player tosses a hoop or ring over a target that must consist of bottles, pegs, blocks, or prizes. The operator shall specifically advise the player as to the degree that the hoop or ring must go over the target. All hoops of the same color used at an individual stand must be the same size. All targets used at an individual booth must be the same size, or the operator shall advise the player by posting signs or using color codes denoting the different sizes.

(c) Dart games. The target area for all dart games must be of a material capable of being penetrated and of retaining a metal tip dart. The target area must be in the rear of the stand and must be at least 3 feet but not more than 15 feet from the foul line. A target must be stationary at all times.

(i) Balloon (poparoo) (balloon smash). The targets are inflated balloons. The player throws one or more darts to burst a predetermined number of balloons. If the predetermined number of balloons are burst by the darts, the player receives the prize indicated.

(ii) Dart throw. The targets are various sizes and shapes located on the target area. The player throws darts individually at the target. A dart must stick in a predetermined target to win the prize as designated.

(iii) Tic tac toe dart. The target is a tic tac toe board located in the target area. The player throws darts at the target and wins a designated prize when the thrown darts line up in a row in the target. The darts may line up vertically, horizontally, or diagonally to win.

(iv) Add-um-up darts. The target consists of numbered squares located in the target area. Prizes are awarded based on the total score obtained by the player by throwing and sticking the darts in the numbered squares. A dart that sticks on a line must be thrown again. The player may add up the score of the darts thrown.

(d) Ball tosses. In all ball toss games, the balls used at a specific stand must be of the same weight and size. Targets must be of the same weight and size, or the operator shall color code the targets and advise the player of the difference in targets by posting a sign or providing a duplicate of the target showing the limitations or restrictions. The sign or duplicate target must be readily visible to the player.

(i) Milk bottle toss. The player tosses or throws balls at simulated milk bottles. The player wins by either tipping over or knocking bottles off the raised platform as designated by the operator. The bottles may be constructed of wood, metal, or plastic or a combination of the three. Operators may vary the number of bottles and balls used in each game. Floating or loose weights in bottles are not allowed. The weight of individual bottles may not exceed 7 1/2 pounds.

(ii) Milk can (Mexican hat) (cone). The player tosses a ball into the opening of a milk can, into a fiberglass Mexican hat turned upside down, or through a cone to win.

(iii) Football toss (tire toss). The player tosses or throws a football through a stationary tire or hoop to win.

(iv) Basketball toss/throw. The player tosses or throws a basketball through a hoop to win.

(v) Bushel baskets. The player tosses balls into a bushel basket mounted on a stationary backdrop at a fixed angle. The balls must stay in the basket to win. Rim shots are allowed, except the operator may designate the top 6 inches of the basket rim by color and disallow balls striking this area as winning tosses.

(vi) Cat-ball-toss (star/diamond toss). The player tosses balls into a simulated cat's mouth or a round, diamond, or star-shaped hole to win.

(vii) Ping pong toss. The player tosses ping pong balls into dishes, saucers, cups, or ashtrays floating in water. A predetermined number of balls must remain in the dishes, saucers, cups, or ashtrays for the player to win. The dishes, saucers, cups, or ashtrays must have water covering the bottom of the surface that is facing up.

(viii) Fish bowl game. The player tosses ping pong balls into a water-filled fish bowl to win.

(ix) Volley ball toss (soccer ball). The player tosses a volley or soccer ball into a keg-type container mounted on a stationary backdrop at a fixed angle. The ball must stay in the keg to win a prize. Rim shots are authorized as stated in subsection (2)(d)(iv) for bushel baskets.

(x) Goblet ball (whiffle ball). The player tosses a whiffle ball into a target area of glass or plastic goblets. Located in the target area are colored goblets that determine the type of prize the player wins. At least 33% of the goblets in the target area must be winners. The ball must stay in the goblet to win a prize.

(xi) Break the plate/bottle. The player tosses or throws a ball at a plate, phonograph record, or bottle. The type of prize won is determined by the number of targets broken by the player.

(xii) Punk rack. The targets for this game are rows of dolls or cats on a ledge at the rear of the stand. The dolls or cats must be filled with sawdust, styrofoam, cotton, or other like material that provides a firm base for the ball to strike. The hair protruding from the side of the dolls or cats may not exceed 3 inches. The prize is determined by how many dolls or cats the player knocks over or off the ledge, as posted by the operator.

(xiii) Teeth game. The target consists of a large face with wooden teeth. The prize is determined by how many teeth the player knocks down by throwing a ball.

(xiv) Toilet game (doniker). To win, the player tosses or throws a ball or other object through a toilet seat located at the rear of the stand.

(xv) Coke roll. The player rolls a ball down an alley with the object of knocking over two coke bottles standing at the end of the alley. The player must tip over both bottles to win. Bottles must be placed on predetermined spots painted on the surface of the alley.

(xvi) Rolldown. The player rolls balls down an alley with the object of putting the balls in numbered slots at the end of the alley. The scores represented by the balls in each numbered slot are added up at the conclusion of the game. Scores above or below a predetermined score win. The alley surface must be smooth and free from defects at all times.

(xvii) Fascination (I got it). Fascination is a group game that involves competition among the players. The target area consists of 25 holes, and the player tosses or rolls a ball into one of the holes. The object of the game is to get five balls in a row either vertically, horizontally, or diagonally. The first player to accomplish this is the winner. Prize size is determined by the number of players participating in each game.

(xviii) Cake walk. The players walk on a predetermined route with designated spots, and when the operator stops the walk, the player on a predetermined spot wins a prize.

(xix) Batter-up. The player uses a whiffle ball bat to swing and strike whiffle balls that are pitched at medium speed from a pitching machine. The player wins when he hits a ball into the home run shelf. The home run shelf is located at the back of the batting cage approximately 15 feet from the player.

(xx) Sky bowling. Two bowling pins are set on predetermined painted spots on a shelf. A ball is attached to a chain suspended from a stationary support at least 6 inches to the right or left of the bowling pins. The object is to swing the ball, miss the pins with the ball as it goes forward, and knock the pins over as the ball returns.

(xxi) Clown rolldown. A ball is tossed through the open mouth of a moving clown or animal head. The ball then rolls down a chute to numbered slots at the rear of the clown or animal head. The scores represented by the balls in each numbered slot are added up at the conclusion of the game. Prizes are awarded on the points achieved.

(xxii) Skee ball. The player rolls a ball up the mechanical bowling alley into targets. A computer adds up the scores, and the predetermined scores win.

(xxiii) Speedball radar game. The player gets four balls and throws three balls through radar to establish speeds and to estimate at what speed the fourth ball will pass through the radar. The player wins a prize if he accurately estimates the speed of the fourth ball. The radar must be mounted and stationary.

(e) Shooting games. These games are conducted by the player using a weapon of some type to shoot at a target in the rear of the stand. The safety requirements of local city or county ordinances must be observed by the operator and player. The target may be stationary or mobile.

(i) Short range (shooting gallery). In this game, the player is given four rounds to shoot at a spot target 1/4 inch or less in diameter. The player wins when the spot target is completely shot out, or the player is given five rounds to shoot one round each at five triangular, round, or 1/2-inch square targets. The prize is determined by the number of targets struck by the player, or the player is given five rounds to shoot one round each at five triangular, round, or 1/2-inch square targets. Within each target is a bull's eye. The player must hit the bull's eye without touching the outer surface of the target. The prize is determined by the number of bull's eyes correctly hit.

(ii) Shoot-out-the-star (machine gun). The player, using an automatic air pellet gun, is given 100 pellets to shoot at a star-shaped target. The player must shoot out all of the target to win. The star cannot be more than 1 1/4 inches from point-to-point.

(iii) Water racer. This group game involves a competition, with the player winning a prize based on the number of players competing. The player, using a water pistol, shoots the water into a target. The water that strikes the target causes a balloon to inflate or advances an object to ring a bell. The first player who bursts the balloon or rings the bell is the winner.

(iv) Rapid fire. This group game involves competition similar to the water racer game described in subsection (2)(e)(iii). The player uses an electronic pistol to shoot at a target. Hits on the target give the player a score. The first player to reach a predetermined score is the winner.

(v) Cork gallery. The player uses a cork gun or similar device to propel objects, including but not limited to corks, suction

cup darts, or styrofoam balls, to shoot at targets located on a shelf or at a bull's eye target. The player must hit the bull's eye or knock the target over or off the shelf to win a prize. The prize is determined by the target knocked over or off the shelf, by the number of targets knocked over or off the shelf, or by the player accomplishing other tasks, as stated in the posted rules. When suction cup darts or other darts are used and fail to stay on or in the target, the player must shoot the dart again. The base of each target must be uniform, front and rear.

(vi) Boomball. The player uses a cannon with compressed air to propel balls into a target area. The targets have varied point value. If the ball remains in the target, a computer adds up the score. Prizes are awarded based on the points achieved.

(f) Coin pitchers.

(i) Spot pitch (lucky strike). The player pitches a coin at colored spots located on a table in the center of the stand. The coin must touch or stay inside of a spot to win a prize.

(ii) Plate pitch. The player pitches a coin onto a glass plate to win a prize as designated.

(iii) Glass pitch (bowl). The player pitches a coin into or onto dishes or glasses. If the coin remains in a top target glass item, then the player wins that item.

(g) Miscellaneous games.

(i) Skill chute (bulldozer) (penny fall). The player inserts a coin or token into a chute, aiming the coin or token so that it will fall in front of a continuous sweeper (bulldozer). If the coin or token is aimed correctly, the sweeper (bulldozer) will push additional tokens or prizes into a hole or chute that sends them to the player. Tokens are exchanged for prizes. If there is a hidden ledge, tip, or similar obstruction that inhibits the passage of tokens or prizes into the hole or chute that sends them to the player, the operator shall post a sign to advise the players.

(ii) Tip-em-up bottle. The player is provided with a pole and a string that has a hoop or ring attached at the end. The player, using the pole with a ring, must raise a bottle lying on its side to an upright position to win.

(iii) Hi-striker. The player, using a wooden maul, must strike a lever target that causes a metal weight to rise on a guideline or track and ring a bell. The player must ring the bell a predetermined number of times to win a prize.

(iv) Rope ladder. The player must climb up a rope ladder, which is anchored at both ends by a swivel, and ring a bell or buzzer to win a prize.

(v) Whac-a-mole. This is a group game that has a target surface with 5 holes through which animated moles pop up and down at random. The player must hit as many moles as possible with a mallet. The first player to hit a predetermined number of moles wins.

(vi) Dip bowling game. The player rolls a bowling-type ball over a hump in the track. If the ball stays on the back side of the hump, the player wins.

(vii) Horserace derby. This is a group game in which a player advances his horse by shooting or rolling a ball in the target

area. The faster and more skillfully the player shoots or rolls his ball, the faster his horse will run. The first horse to cross the finish line wins.

(viii) Shuffleboard. The player pushes a puck down a shuffleboard alley to knock over poly pins at the end of an alley. The player wins by knocking down all the pins.

(ix) Bean bag. The player tosses or throws a bean bag or a simulated bean bag at cans, bottles, or other objects on a raised platform. The player wins a prize when he either knocks the object off the raised platform or tips the target over.

(x) Soccer kick. The player kicks a soccer ball through a hole in the target area to win.

(xi) Frog game. A plastic frog or similar object sits on a small end of a teeter-totter. The opposite end of the teeter-totter is struck with a mallet, causing the frog to fly off the teeter-totter. If the frog lands in a pail or similar receptacle, the player wins a prize.

(xii) Cover the spot. The object of this game is for the player to drop five circular discs onto a circular spot, completely covering the spot. The diameter of each of the discs used to cover the spot must be a minimum of 64% of the diameter of the spot to be covered. The spot to be covered must be painted or drawn on a permanent, solid material, such as metal or wood, or may be a lighted circle. The spot and each disc must have a uniform diameter.

(xiii) Pocket billiards. Using a regulation pocket billiard table, a player must run a consecutive number of balls to win a prize. The number of balls is set by the operator."

And, as amended, be concurred in. Report adopted.

Adverse Committee Report

HB 673, introduced bill, be amended as follows:

1. Title, lines 10 and 11.
Strike: "ELIMINATING THE LIVE BINGO AND KENO TAX AND"

2. Title, line 13.
Strike: "THE LIVE CARD GAME OF BLACKJACK,"

3. Title, line 15.
Following: "PLACES,"
Insert: "AND"
Strike: ", AND CRANE GAMES"

4. Title.
Following: line 16
Insert: "2-15-2021,"

5. Title, line 18.
Following: "23-5-154,"
Insert: "23-5-156,"

6. Title, line 19.
Strike: "23-5-306" through "23-5-311,"

7. Title, line 20.
Following: "23-5-407,"
Insert: "23-5-409,"

8. Title, line 22.
Following: "23-5-625,"
Insert: "AND"
Strike: "AND 41-5-203,"

9. Title, lines 23 and 24.
Strike: "23-5-409" on line 23
Insert: "23-5-153"
Strike: "AND A TERMINATION DATE"

10. Page 2, line 3.
Strike: "30" through "63"
Insert: "27 and 38"

11. Page 2, line 4
Strike: "blackjack,"
Following: "pools"
Strike: ","
Insert: "and"

12. Page 2, lines 5 and 6.
Strike: ", and crane games"

13. Page 2, line 11 through page 3, line 18.
Strike: subsection (1) of the STATEMENT OF INTENT in its entirety
Renumber: subsequent subsections

14. Page 4, line 3.
Following: "pools"
Insert: ", including but not limited to those commonly known as or similar to baseball blackout, pro football, total runs pool, baseball progressive pool, home run contest, pick the final four, 39 (or other number) points pool, 28 (or other number) club, NFL win pool, four-way multiple pool, high school and college tournament pools, and golf board"

15. Page 4, lines 17 through 24.
Strike: lines 17 through 24 in their entirety

16. Page 5, line 2 through page 10, line 10.
Strike: section 1 in its entirety
Renumber: subsequent sections

17. Page 10.
Following: line 24

Insert: "(3) "Authorized equipment" means, with respect to live keno or bingo, equipment that may be inspected by the department and that randomly selects the numbers."
Renumber: subsequent subsections

18. Page 11, line 7.
Following: "~~equipment~~"
Insert: "using authorized equipment"

19. Page 12, lines 3 and 4.
Strike: "The" on line 3 through end of line 4

20. Page 12.
Following: line 12
Insert: "(13) "Gift enterprise" means a scheme, by whatever name known, for the disposal or distribution of property by chance among persons who have obtained chances to acquire the property or a portion of it by purchasing goods or services. The term does not include:

(a) lotteries authorized under part 10 of this chapter;

(b) cash or merchandise attendance prizes or premiums that the county fair commissioners of agricultural fairs and rodeo associations may give away at public drawings at fairs and rodeos; or

(c) a promotional game of chance."
Renumber: subsequent subsections

21. Page 13, line 19.
Following: "including"
Insert: "shake-a-day or"

22. Page 14, line 5.
Following: "~~select~~"
Insert: "using authorized equipment"

23. Page 16, lines 6 and 7.
Strike: "and approved by the department"
Following: "." on line 7
Insert: "The premises must:

(a) be a structure or facility that is clearly defined by walls extending from floor to ceiling;

(b) have a unique address assigned by the local government in whose jurisdiction the premises is located;

(c) have a public external entrance leading to a street or other common area; and

(d) if it shares a common wall with another premises for which an operator's license has been issued, contain a common wall that is permanently installed and opaque and that extends from floor to ceiling. The two premises sharing the common wall may not be connected by an internal entrance through which public access is allowed."

24. Page 16.
Following: line 7
Insert: "(29) "Promotional game of chance" means a scheme, known by any name, for the disposal or distribution of property by chance among persons who have not paid and who are not expected to pay any consideration and who are not expected to purchase any goods or services for a chance to obtain the property or a portion of the property."
Renumber: subsequent subsections

25. Page 16, line 10.
Following: ";"
Strike: "or"

26. Page 16, line 14.
Strike: "."
Insert: "; or
(c) a place, building, or conveyance to which the public does not have access if players are publicly solicited or the gambling activity is conducted in a predominantly commercial manner."

27. Page 17, line 11 through page 24, line 21.
Strike: section 3 in its entirety
Renumber: subsequent sections

28. Page 26, line 1.
Strike: "(1)(b)"
Insert: "(1)(c)"

29. Page 27, line 6.
Strike: "establishment"
Insert: "business"
Strike: "gambling"

30. Page 27, line 7.
Following: "activity"
Insert: "under the license or permit"

31. Page 27, line 9.
Strike: "establishment"
Insert: "business"
Strike: "and"

32. Page 27, line 10.
Strike: "."
Insert: "; and
(v) any other relevant information that is obtained in the application or tax reporting process or as a result of other department operations and that may be disclosed only to a federal, state, city, county, or tribal criminal justice agency, the department of revenue, and the federal internal revenue service."

33. Page 28, line 2.

Strike: "special revenue"
Insert: "general"

34. Page 28, lines 2 through 6.
Strike: "account" on line 2 through "rules" on line 6

35. Page 30, line 17.
Following: "Possession"
Insert: "and use"

36. Page 30, line 18.
Strike: "prohibited --"

37. Page 30, line 19.
Strike: "exceptions"
Strike: "Except as provided in 23-5-153 and"

38. Page 30, line 20.
Strike: line 20
Insert: "It"

39. Page 30, line 23.
Following: "(a)"
Insert: "use in a gambling activity that is not legal or"

40. Page 30, line 23 through page 31, line 2.
Strike: "or under" on page 30, line 23 through "control" on page 31, line 2
Insert: "with intent to use in a gambling activity that is not legal"

41. Page 31, lines 4 and 5.
Strike: "apply to a public officer or to a person coming into"
Insert: "prohibit mere"

42. Page 31, lines 6 through 8.
Strike: "in or" on line 6 through "law" on line 8
Insert: ", except that an illegal gambling device may not be purposely or knowingly possessed in a premises licensed or capable of being licensed for any type of gambling unless it has been rendered inoperable for any type of illegal gambling. Violation of this subsection is a misdemeanor"

43. Page 31, lines 18 through 21.
Strike: subsection (4) in its entirety

44. Page 32.
Following: line 4
Insert: "Section 8. Section 23-5-156, MCA, is amended to read:

"23-5-156. Obtaining anything of value by fraud or operation of illegal gambling device or enterprise. (1) A person who ~~by gambling~~ in an activity involving gambling obtains money, property, or anything of value that does not exceed $300 in value by misrepresentation, fraud, or the use of an illegal gambling

device or an illegal gambling enterprise is guilty of a misdemeanor and is punishable as provided in 23-5-161.

(2) A person who ~~by gambling~~ in an activity involving gambling obtains money, property, or anything of value that exceeds $300 in value by misrepresentation, fraud, or the use of an illegal gambling device or an illegal gambling enterprise is guilty of a felony and is punishable as provided in 23-5-162.""

45. Page 32, line 7.
Strike: "(3)"
Insert: "(2)"

46. Page 32, lines 13 through 22.
Strike: subsection (2) in its entirety
Renumber: subsequent subsection

47. Page 34, lines 9 and 10.
Strike: "or a gambling-related misdemeanor"

48. Page 34, lines 11 and 12.
Strike: ", is awaiting trial on charges of committing a felony offense,"

49. Page 34, line 12.
Following: "probation"
Strike: ","
Insert: "or"

50. Page 34, lines 12 and 13.
Strike: ", or deferred prosecution"

51. Page 35, line 15.
Strike: "Regardless"
Insert: "Except as provided in subsection (4), regardless"

52. Page 35, line 21.
Following: line 20
Insert: "(4) The department may issue and annually renew more than one operator's license for a premises if, at the time of the application for an operator's license or license renewal, the majority of natural persons holding a financial interest in the business on the premises remains the same as on January 1, 1991, except that the spouse or child of a person granted an operator's license or license renewal may acquire controlling financial interest in the business, and if the applicant was, on January 1, 1991:

(a) licensed under this section to operate in a premises not meeting the definition of premises in 23-5-112; or

(b) operating a business, on premises not meeting the definition of premises in 23-5-112, that sold alcoholic beverages for consumption on the premises and had filed with the department on or before January 1, 1991, an application for an operator's license for that business."
Renumber: subsequent subsections

53. Page 37, line 15.
Strike: "under 16-4-401(2)"
Insert: "to sell alcoholic beverages for consumption on the premises,"

54. Page 38, line 3.
Strike: "the person has continuously operated"

55. Page 38, line 4.
Following: "table"
Insert: "has been continuously operated"
Following: "1989"
Insert: ", except that a live card game table need not have been continuously operated on the premises for a period, not exceeding 5 years, during which the persons referred to in subsection (1)(b)(iv)(B) held a security interest in the premises"

56. Page 38, line 5.
Following: "persons"
Insert: "who are owners"

57. Page 38, line 19.
Strike: "15 and 31"
Insert: "14 and 20"

58. Page 39, line 24 through page 42, line 17.
Strike: section 17 in its entirety
Renumber: subsequent sections

59. Page 42, line 20.
Strike: "31"
Insert: "20"

60. Page 43, line 16 through page 44, line 13.
Strike: section 19 in its entirety
Renumber: subsequent sections

61. Page 44, line 16.
Strike: "31"
Insert: "20"

62. Page 44, line 24 through page 45, line 20.
Strike: sections 21 and 22 in their entirety
Renumber: subsequent sections

63. Page 45, line 23.
Strike: "31"
Insert: "20"

64. Page 46, line 12.
Strike: "blackjack,"
Following: "panguingue"
Strike: "."

65. Page 46, line 15 through page 50, line 3.
Strike: sections 25 through 30 in their entirety
Renumber: subsequent sections

66. Page 50, line 7.
Strike: "six"
Insert: "12"

67. Page 50, line 9.
Strike: "10"
Insert: "5"

68. Page 50, line 22.
Strike: "six-tournament"
Insert: "12-tournament"

69. Page 51, line 17.
Following: "(7)"
Insert: "The face value of the chips used does not govern the value of the pot awarded at the end of the tournament."

70. Page 51, lines 18 and 19.
Strike: subsection (a) in its entirety
Renumber: subsequent subsections

71. Page 54, line 16.
Strike: "15"
Insert: "14"

72. Page 54, line 17.
Following: "~~or~~"
Insert: "bingo or"

73. Page 54, line 20 through page 55, line 3.
Strike: subsection (3) in its entirety
Renumber: subsequent subsections

74. Page 55.
Following: line 10
Insert: "Section 23. Section 23-5-409, MCA, is amended to read:

"23-5-409. Bingo and keno tax -- records -- distribution -- statement and payment. (1) A licensee who has received a permit to operate bingo or keno games shall pay to the department a tax of ~~5%~~ 1% of the ~~net income~~ gross proceeds from the operation of each live bingo and keno game operated on his premises. ~~For purposes of this section, "net income" means gross proceeds, as defined in 23-5-112, minus the cost of equipment, supplies, personnel, and advertising allocated to the games. If in any year 5% of net income does not equal 1% of gross proceeds, then the licensee shall pay a tax of 1% of gross proceeds.~~

(2) A licensee shall keep a record of gross proceeds ~~and net income~~ in the form the department requires. At all times during

the business hours of the licensee the records must be available for inspection by the department.

(3) A licensee shall annually complete and deliver to the department a statement showing the total gross proceeds for each live keno or bingo game operated by him and the total amount due as live bingo or keno tax for the preceding year. This statement must contain any other relevant information required by the department.

(4) The department shall forward the tax collected under subsection (3) to the treasurer of the county or the clerk, finance officer, or treasurer of the city or town in which the licensed game is located for deposit to the county or municipal treasury. A county is not entitled to proceeds from taxes on live bingo or keno games located in incorporated cities and towns within the county. The tax collected under subsection (3) is statutorily appropriated to the department, as provided in 17-7-502, for deposit to the county or municipal treasury.""

75. Page 55, line 18.
Strike: "$800"
Insert: "$300"

76. Page 61, line 15.
Following: "$500."
Insert: "Chances for a series of events may be purchased all at once prior to the occurrence of the first event."

77. Page 65, lines 7 and 8.
Strike: "as determined" on line 7 through "license" on line 8

78. Page 65, line 9.
Strike: "sight and"

79. Page 65, line 10.
Strike: "or his employees"

80. Page 65, line 15.
Strike: "48"
Insert: "38"

81. Page 65, line 19.
Following: "~~machine~~"
Insert: "for a video keno or bingo machine and $100 a game for a video draw poker machine"

82. Page 66, line 3.
Following: "part."
Insert: "A licensed operator may deduct from gross machine income an amount equal to money stolen from machines or money stolen after the money was taken out of machines if the stolen amount is not repaid by insurance or otherwise and a law enforcement agency investigated the theft."

83. Page 68, line 7.
Following: "persons"
Insert: "who are owners and"

84. Page 68, line 9.
Following: "same"
Insert: "and the activity for which the permit is to be renewed has been continuously carried on at the premises since January 15, 1989, except that the activity need not have been continuously carried on for a period, not exceeding 5 5 5 years, during which such persons held a security interest in the business"

85. Page 69, line 9.
Strike: "15"
Insert: "14"

86. Page 70, line 24.
Strike: "$20"
Insert: "$5"

87. Page 71.
Following: line 23
Insert: "(3) A video gambling machine for which there was a permit on January 1, 1991, is not subject to this section as amended on [the effective date of the House Bill No. 673 amendment to this section] or to rules implementing this section and adopted after that date. Such machines are subject to this section as it read on January 1, 1991, and to rules implementing this section and in effect on that date."

88. Page 74, line 12.
Following: "costs."
Insert: "Payments received by the department under this subsection are statutorily appropriated to the department, as provided in 17-7-502, to pay the costs of the examination and to refund overpayments."

89. Page 76, line 16.
Following: "~~23-5-409;~~"
Insert: "23-5-409;"

90. Page 76.
Following: line 16
Insert: "23-5-631;"

91. Page 77, line 11 through page 79, line 16.
Strike: sections 50 and 51 in their entirety
Renumber: subsequent sections

92. Page 80, line 15.
Page 82, lines 4 and 11
Strike: "53 through 57"
Insert: "41 through 45"

93. Page 82, line 13 through page 86, line 18.
Strike: sections 58 through 67 in their entirety
Insert: "NEW SECTION. Section 46. Shaking dice for a drink or music or in shake-a-day game. It is legal for a customer in an establishment licensed for the sale of alcoholic beverages to be consumed on the premises to:

(1) shake or choose one or more dice, alone or with an owner or employee of the establishment, to determine whether the customer or the establishment shall pay for the customer's drink or to determine whether the customer or the establishment shall immediately pay a predetermined amount of money, not to exceed $2, for music from a jukebox in the establishment.

(2) play the dice game commonly known as shake-a-day, in which a customer may once each day pay an amount of money predetermined by the establishment, but not more than 50 cents, and shake a number of dice predetermined by the establishment in an attempt to roll a certain combination simulating a poker hand predetermined by the establishment and, if the combination is rolled, win all money paid to play the game since the last winning combination was rolled. The establishment may, before a game begins, limit the amount that will be won and use the remaining money played on that game to start the pot for the next game, thus enhancing the incentive to play the next game in the early stages of the next game. All money paid to play games must be paid out as winnings.

NEW SECTION. Section 47. Illegal sale, assignment, lease, or transfer of license -- penalty. A licensee who purposely or knowingly sells, assigns, leases, or transfers a license or permit in violation of 23-5-110 is guilty of a misdemeanor punishable in accordance with 23-5-161.

Section 48. Section 2-15-2021, MCA, is amended to read:
"2-15-2021. Gaming advisory council -- allocation -- composition -- compensation -- ~~annual~~ biennial report. (1) There is a gaming advisory council.

(2) The gaming advisory council is allocated to the department for administrative purposes only as prescribed in 2-15-121.

(3) The gaming advisory council consists of nine members. One member must be from the senate, and one member must be from the house of representatives. The senate committee on committees and the speaker of the house of representatives shall appoint the legislative members of the council. The seven remaining members must be appointed by the department, with one representing the public at large, two representing local governments, one being a Native American, and three representing the gaming industry.

(4) Each gaming advisory council member is appointed to a 3-year term of office, except that three of the first-appointed original members shall serve a 1-year term, three (including both legislative members) shall serve a 2-year term, and three shall

serve a 3-year term. A member of the council may be removed for good cause by the appointing body provided for in subsection (3).

(5) The gaming advisory council shall appoint a chairman from its members.

(6) Legislative members of the gaming advisory council are entitled to compensation and expenses, as provided in 5-2-302, while the council is meeting. The remaining members are entitled to travel, meals, and lodging expenses as provided for in 2-18-501 through 2-18-503. Expenses of the council must be paid from licensing fees received by the department.

(7) The gaming advisory council shall, within its authorized budget, hold meetings and incur expenses as it considers necessary to study all aspects of gambling in the state.

(8) (a) The gaming advisory council shall submit ~~an annual~~ a biennial report to the department, at a time designated by the department, with recommendations for amendments to the gambling statutes, the need for additional or modified department rules, the clarification of existing rules, and other recommendations on the operation of the department or any other gambling-related matter.

(b) The ~~annual~~ biennial report required under subsection (8)(a) must be affixed to the ~~annual department~~ report on gambling in the state that the department submits that year. The department and council shall submit the two most recent department and council reports to each of the next two regular sessions of the legislature.

(c) The council may submit interim reports to the department as the council considers necessary.

(d) The council shall meet with the department upon request of the department.

(e) The department shall meet with the council upon request of the council.

(9) The department shall give each council member notice and a copy of each proposed change in administrative rules relating to gambling. The notice and copy must be given at the time a notice of proposed rules changes is filed with the secretary of state. The council shall review the proposal, may comment on it, and may attend any hearing on the proposal. The department shall consider any comment by any council member or by the council as a whole prior to adopting the proposed change.""

94. Page 86, line 19.
Strike: "23-5-409"
Insert: "23-5-153"

95. Page 86, line 22.
Strike: "14" through "57"
Insert: "13, 14, 20, 27, 38, 40 through 45, and 47"

96. Page 86, line 25 through page 87, line 1.
Strike: "14" on page 86, line 25 through "57" on page 87, line 1
Insert: "13, 14, 20, 27, 38, 40 through 45, and 47"

97. Page 87, lines 2 through 5.
Strike: subsection (2) in its entirety
Insert: "(2) [Section 46] is intended to be codified as an integral part of Title 23, chapter 5, part 1, and the provisions of Title 23, chapter 5, parts 1 through 6, apply to [section 46]."

98. Page 87.
Following: line 5
Insert: "NEW SECTION. Section 51. Coordination instruction. If Senate Bill No. 427 is passed and approved and if it includes a new section that relates to department of justice disclosure of information from license or permit applications or a section that amends language on that subject in an existing section of Title 23, chapter 5, part 1, then that section of Senate Bill No. 427 is void."

99. Page 87, line 13.
Strike: "(a)"
Strike: "1" through "70"
Insert: "2, 41 through 45, and 50 through 52"

100. Page 87, line 15.
Strike: "(b)"
Insert: "(2)"
Strike: "32" through "68"
Insert: "21 through 23, 26 through 28, 34, and 49"

101. Page 87, lines 17 and 18.
Strike: subsection (c) in its entirety

102. Page 97, line 19.
Strike: "(d)"
Insert: "(3)"

103. Page 87, lines 21 and 22.
Strike: subsection (2) in its entirety

And, as amended, do not pass.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/28/91

HB 173, introduced by Pavlovich
HB 239, introduced by Raney
HB 383, introduced by Raney

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/28/91

HB 240, introduced by Raney
HB 405, introduced by Wallin
HB 631, introduced by McCulloch
HB 860, introduced by Dowell

HB 943, introduced by Davis
HB 948, introduced by R. Johnson

Senate bill passed and transmitted to the House for concurrence:
3/28/91

SB 454, introduced by Doherty

The Senate, on 3/28/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 691.

President Mazurek appointed the following members:

Senator Pinsoneault, Chairman
Senator Doherty
Senator Harp

The Senate, on 3/28/91, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 244.

President Mazurek appointed the following members:

Senator Van Valkenburg, Chairman
Senator Blaylock
Senator Brown

The Senate, on 3/28/91, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 391.

President Mazurek appointed the following members:

Senator Towe, Chairman
Senator Grosfield
Senator Halligan

The Senate, on 3/28/91, failed to concur in House amendments to SB 18 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 18.

President Mazurek appointed the following members:

Senator Weeding, Chairman
Senator Bengtson
Senator Gage

The Senate, on 3/23/91, failed to concur in House amendments to SB 58 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 58.

President Mazurek appointed the following members:

Senator Yellowtail, Chairman
Senator Halligan
Senator Harp

The Senate, on 3/23/91, failed to concur in House amendments to SB 109 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 109.

President Mazurek appointed the following members:

Senator Svrcek, Chairman
Senator Van Valkenburg
Senator Beck

The Senate, on 3/23/91, failed to concur in House amendments to SB 171 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 171.

President Mazurek appointed the following members:

Senator Svrcek, Chairman
Senator Weeding
Senator Rye

The Senate, on 3/23/91, failed to concur in House amendments to SB 204 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 204.

President Mazurek appointed the following members:

Senator Halligan, Chairman
Senator Doherty
Senator Gage

The Senate, on 3/23/91, failed to concur in House amendments to SB 249 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 249.

President Mazurek appointed the following members:

Senator Svrcek, Chairman
Senator Halligan
Senator Crippen

The Senate, on 3/23/91, failed to concur in House amendments to SB 267 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 267.

President Mazurek appointed the following members:

Senator Towe, Chairman
Senator Pipinich
Senator Nathe

The Senate, on 3/23/91, failed to concur in House amendments to SB 327 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 327.

President Mazurek appointed the following members:

Senator Yellowtail, Chairman
Senator Halligan
Senator Noble

The Senate, on 3/23/91, failed to concur in House amendments to SB 343 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 343.

President Mazurek appointed the following members:

Senator Towe, Chairman
Senator Doherty
Senator Rye

The Senate, on 3/23/91, failed to concur in House amendments to SB 348 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 348.

President Mazurek appointed the following members:

Senator Eck, Chairman
Senator Towe
Senator Rye

The Senate, on 3/23/91, failed to concur in House amendments to SB 77 and appointed a free conference committee, requesting the House appoint a like committee to confer on House amendments to SB 77.

President Mazurek appointed the following members:

Senator Koehnke, Chairman
Senator Tveit
Senator Svrcek

The Senate, on 3/28/91, dissolved the conference committee on HB 782 and appointed a free conference committee to meet with a like committee from the House to confer on HB 782.

President Mazurek appointed the following members:

Senator Yellowtail, Chairman
Senator Franklin
Senator Devlin

MESSAGES FROM THE GOVERNOR

The Honorable Joseph P. Mazurek March 29, 1991
President of the Senate
State Capitol
Helena, Montana 59620

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

Dear President Mazurek and Speaker Harper:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to Senate Bill 120, "AN ACT TO REQUIRE THAT TRUSTEES OF A SCHOOL DISTRICT PROVIDE A NONTENURE TEACHER WITH A TRUE STATEMENT OF EMPLOYMENT-RELATED REASONS UPON TERMINATION; TO PROVIDE A NONTENURE TEACHER WITH A HEARING IF THERE IS REASON TO BELIEVE THAT TRUSTEES HAVE ABUSED THEIR DISCRETION; AMENDING SECTIONS 20-3-210 AND 20-4-206, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

Since the receipt of Senate Bill 120 I have received written and telephone communications from well over 70 boards of trustees (directly or through their district superintendents) and from county superintendents. Few other pieces of legislation have ignited the awareness and attention of the education community as has Senate Bill 120. The thrust of this communication has been consistent:

1. Senate Bill 120 creates a potential litigation nightmare that will generate unnecessary legal expenses at the cost of education programs. Numerous attorneys have predicted that legal fees before the county superintendent will cost between $3,400-4,000. This does not include the costs borne by the county to pay for a hearing examiner, the court reporter and the legal counsel to the county superintendent. Those, depending on the legal matter, may average $2,000-3,000 per hearing.

2. Senate Bill 120, in its present form, detracts from any differentiation between tenure and nontenure. Although the initial burden of proving that a teacher had been terminated for an untrue reason remains with the teacher, that legal burden shifts to the school district to prove the reason. Hence, proving both the truth and the merit of the reason equates to "just cause removal" and teacher tenure.

3. The complexity of Senate Bill 120 creates unworkable legislation for boards of trustees and county superintendents who, without exception, have urged me to veto this legislation. Under the standard "qualities relating to job performance that are lacking" may elevate greater protection to nontenured teachers than

tenured teachers currently enjoy in Montana. It is arguable that at the end of a contract period, a nontenured teacher could not be nonrenewed for theft or out-of-school conduct, such as a drug offense, if they do not directly relate to "job performance." The Montana Supreme Court has recognized that tenured teachers may be terminated for actions not directly relating to teaching performance.

4. This bill dilutes the probationary period of time in which to determine whether the teacher is should be retained on a permanent basis. This alone will work against first-year teachers because school boards will seek to hire only experienced teachers who have a proven track record and references.

5. Technical defects also exist in the bill. Language indicating that the provisions of a subsection does not apply to cases involving nontenure teachers terminated as a result of financial conditions would not require trustees to ever give notice to the nontenure teacher by May 1 of the termination. My amendments would provide that requirement.

The bill as presented, requires the county superintendent to order reinstatement and compensate the teacher at the contract amount for any employment time lost. The current law, established by court decision, provides that teachers who are reinstated must be made "whole". They are required to deduct any interim earnings from the award of back wages. Here, nontenured teachers receive greater protection than tenured teachers. Also, substitute teachers who
temporarily replace a teacher on "leave" should not be provided the protection of this bill.

The Montana Constitution, Article X, Section 8 is unique in this United States. Our controlling document directs that control and supervision of schools is vested in the board of trustees. I respect and will uphold that direction.

I will not ignore the position of boards of trustees throughout Montana that have urged me to veto Senate Bill 120. As this is read over the Rostrum, additional FAX and telephone messages are being received. As of this date, the following is an example of the organizations and districts that urge a veto:

Montana School Boards Association
Montana Rural Education Association
School Administrators of Montana

Shelby
Big Sandy
Noxon
Poplar
Dillon
Ryegate
Hardin
Park City
Melville
Rapelje
Livingston
Bridger
Joliet
Roberts

Bozeman	Huntley
Kremlin	Columbus
Gildford	West Yellowstone
Valier	Townsend
Choteau	Big Timber
Teton County	Broadview
Westby	Absarokee
Hinsdale	Shepherd
Bainville	Manhattan
Wibaux	Whitehall
Billings	Madison County
Helena	Gallatin County
Yellowstone County	Charlo
Florence Carlton	Winnett
Stevensville	Laurel
Plevna	Kalispell
Brady	Dutton
Broadview	Scobey
Missoula Elementary	Hellgate Elementary
Fallon County	Chester
Wolf Point	Ennis
Twin Bridges	Arlee
Hingham-Rudyard	Phillips County
Malta	Havre
Fort Benton	Richland County
Molt	Wibaux
Birney	Broadus
Anaconda	Outlook
Belt	Powderville

Montana has over 200 rural school districts who simply do not have the financial resources to take on this tremendous legal challenge in the form of the legislation presented.

I have not exercised an outright veto of Senate Bill 120 with this message because I believe that fairness demands that a teacher receive the truth about why he or she is not being rehired. I also believe and concur with the sponsor, Senator Brown, that the nontenured teacher should have recourse to an independent hearing officer or the county superintendent to independently determine the "truth" of the reason provided. However, that process must be streamlined and not litigiously cumbersome. I have forwarded to this body proposed amendments to address the very core issue presented in Senate Bill 120. As a result of a recent Montana Supreme Court decision, a nontenure teacher has no public recourse to challenge or even discuss the "truth" of the reasons provided for termination. In practice, the administrator of the school district prepares and formulates these "reasons" generally from observation and evaluations. The board of trustees, upon deliberation, may adopt those reasons and terminate.

My amendments will permit a nontenured teacher to request the county superintendent to determine the truth of the reasons provided. The teacher will have recourse. However, the teacher maintains the burden of proving

with clear and convincing evidence that the reasons were not true. The technical and legal entanglements posed to the teacher, board and county superintendent have been removed.

I have also proposed amendments to address the real concern that "temporary" or "substitute" teachers who replace a regular teacher during the school year, should not contest nonrenewal. That is not the intent of this legislation.

Because the passage and approval of this bill will find school districts already conveying nonrenewal notices, I have likewise proposed an effective date of October 1, 1991.

The competing interests and legitimate concerns have been addressed. I believe they are a fair compromise and one that is workable for the entire educational community. I urge your concurrence.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
SENATE BILL 120
(REFERENCE COPY, AS AMENDED)
MARCH 29, 1991

1. Title, line 6
Following: "OF"
Strike: "EMPLOYMENT-RELATED"

2. Title, line 8
Following: line 7
Strike: "IF THERE IS REASON TO BELIEVE THAT TRUSTEES HAVE ABUSED THEIR DISCRETION"
Insert: "IF THE NONTENURE TEACHER BELIEVES THE REASONS ARE NOT TRUE;"

3. Title, line 10
Following: "MCA"
Strike: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"
Insert: "AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY CLAUSE"

4. Page 2, line 6
Following: "(b)"
Strike: "Sections 20-4-206(3) and [section 3] relating to abuse of discretion by the trustees of a district in the termination of a nontenure teacher"
Insert: "Section 20-4-206(4)"

5. Page 3, line 11 through 16
Following: "year."

Strike: remainder of line 11 through line 16

6. Page 4, line 5
Following: "termination"
Strike: "that states those qualities relating to job performance that are lacking and merit a refusal to enter into an employment contract with the teacher for the ensuing school fiscal year"

7. Page 4, line 16 through page 5, line 3
Following: line 15 on page 4
Strike: lines 16, page 4 through line 3, page 5

8. Page 5, lines 4 through 22
Following: line 3
Strike: lines 4 through 22
Insert: "(4) If a nontenured teacher believes the reasons provided by the trustees are not true, the teacher may request in writing within ten days of receipt of the statement of reasons that the county superintendent hold a hearing in accordance with 20-3-210 to determine whether the reason is true. A hearing must be scheduled within 10 days and held within 45 days after receipt of the request, except that the period may be extended upon agreement between the trustees and the teacher. The burden of proof that the reason is not true rests with the teacher and such showing must be demonstrated by clear and convincing evidence.

(5) If, after a hearing, the county superintendent determines that the reason is not true, the county superintendent shall order the trustees to offer the teacher a contract for the ensuing school fiscal year.

(6) The provisions of this section do not apply to cases in which a nontenure teacher is terminated when the financial condition of the school district requires a reduction in the number of teachers employed and the reason for the termination is to reduce the number of teachers employed."

9. Page 6, line 3
Following: "effective"
Strike: "on passage and approval"
Insert: "on October 1, 1991"

10. Page 6, line 4
Following: line 3
Insert: "NEW SECTION. Section 6. Applicability clause. This act does not apply to nontenured teachers who are considered temporary or substitute teachers."

The Honorable Joseph P. Mazurek 3/29/91
President of the Senate
State Capitol
Helena, Montana 59620

The Honorable Hal Harper
Speaker of the House

State Capitol
Helena, Montana 59620

Dear President Mazurek and Speaker Harper:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to Senate Bill 310, "AN ACT ALLOWING CONTRACT PHYSICIANS AT URBAN INDIAN CLINICS TO DISPENSE DRUGS; AND AMENDING SECTION 37-2-104, MCA."

Concern has been expressed that Senate Bill 310 needs two safeguards: that contract physicians at urban Indian clinics not be allowed to dispense dangerous drugs or controlled substances and that these contract physicians not be allowed to delegate the authority provided in this bill.

These two protections for the patrons of these clinics are well-advised and non-threatening to the purpose of the bill. There already are intensive requirements for the dispensing of dangerous drugs, and this amendment will recommit to those safeguards. While it is assumed that the law does not give the contract physician the ability to delegate his or her authority to dispense drugs, this amendment will clarify that intent.

I urge your concurrence in this amendment.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
SENATE BILL 310
(REFERENCE COPY, AS AMENDED)
MARCH 29, 1991

1. Page 2, line 12.
Following: "clinic."
Insert: "Such clinic may not stock or dispense any dangerous drug or controlled substance as defined in 50-32-101. The contract physician may not delegate the authority to dispense any drug for which a prescription is required under 21 U.S. Code sec. 353 (b)."

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bill was introduced, read first time, and referred to committee:

SB 454, introduced by Doherty, referred to Committee on Taxation

Representative Driscoll moved the House recess until 3:00 p.m. Motion carried.

House recessed at 1:20 p.m.

House reconvened at 3:10 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/1/91
Delivered to the Governor for his approval at 2:23 p.m., 3/28/91: HB 76, HB 333, HB 421, HB 530, HB 816, HB 957.
Delivered to the Secretary of State at 2:20 p.m., 4/1/91: HJR 16

APPROPRIATIONS (Bardanouve, Chairman): 4/1/91
HB 155, second reading copy, be amended as follows:

1. Title, line 8.
Following: "~~THE SAME AS FOR~~"
Strike: "95"
Insert: "90"

2. Title, line 11.
Following: "ATTORNEY;"
Insert: "INCREASING THE MONETARY CHARGE FOR A MISDEMEANOR CONVICTION; REALLOCATING JUSTICES' COURTS FEES;"

3. Title, line 11.
Following: "SECTIONS"
Insert: "3-10-601,"

4. Title, line 12.
Following: "7-4-2504,"
Strike: "AND"
Following: "7-4-205,"
Insert: "AND 46-18-236,"

5. Page 4, line 19.
Following: "~~the same as~~"
Strike: "95%"
Insert: "90%"

6. Page 10, line 23.
Following: line 22
Insert: "Section 5. Section 3-10-601, MCA, is amended to read:

"3-10-601. Collection and disposition of fines, penalties, forfeitures, and fees. (1) Each justice of the peace shall collect the fees prescribed by law for justices' courts and shall pay them into the county treasury of the county wherein he holds office, on or before the 10th day of each month, to be credited to the general fund of the county.

(2) All fines, penalties, and forfeitures that this code requires to be imposed, collected, or paid in a justice's court must, for each calendar month, be paid by the justice's court on or before the 5th day of the following month to the treasurer of the county in which the justice's court is situated.

(3) The county treasurer shall, in the manner provided in 15-1-504, distribute money received under subsection (2) as follows:

(a) 50% to the state treasurer; and

(b) 50% to the county general fund.

(4) The state treasurer shall distribute money received under subsection (3) as follows:

(a) ~~23%~~ 27.88% to the state general fund;

(b) ~~10%~~ 9.09% to the fish and game account in the state special revenue fund;

(c) ~~12.5%~~ 11.76% to the state highway account in the state special revenue fund;

(d) ~~36%~~ 33.86% to the traffic education account in the state special revenue fund;

(e) ~~0.6%~~ 0.57% to the department of livestock account in the state special revenue fund;

(f) ~~16.9%~~ 15.9% to the crime victims compensation account in the state special revenue fund; and

(g) ~~1%~~ 0.94% to the department of family services special revenue account for the battered spouses and domestic violence grant program."

Section 6. Section 46-18-236, MCA, is amended to read:

"46-18-236. Imposition of charge upon conviction or forfeiture -- administration. (1) Except as provided in subsection (2), there must be imposed by all courts of original jurisdiction on a defendant upon his conviction for any conduct made criminal by state statute or upon forfeiture of bond or bail a charge that is in addition to other taxable court costs, fees, or fines, as follows:

(a) ~~$10~~ $15 for each misdemeanor charge; and

(b) the greater of $20 or 10% of the fine levied for each felony charge.

(2) If a convicting court determines under 46-18-231 and 46-18-232 that the defendant is not able to pay the fine and costs or that he is unable to pay within a reasonable time, the court must waive payment of the charge imposed by this section.

(3) The charge imposed by this section is not a fine and must be imposed in addition to any fine and may not be used in determining the jurisdiction of any court.

(4) When the payment of a fine is to be made in installments over a period of time, the charge imposed by this section must be collected from the first payment made and each subsequent payment as necessary if the first payment is not sufficient to cover the charge.

(5) The charges collected under subsection (1), except those collected by a justice's court, must be deposited with the appropriate local government finance officer or treasurer. If a city municipal court or city or town court is the court of original jurisdiction, the charges collected under subsection (1) must be deposited with the city or town finance officer or treasurer. If a district court is the court of original jurisdiction, the charges collected under subsection (1) must be deposited with the county finance officer or treasurer. If the court of original jurisdiction is a

court within a consolidated city-county government within the meaning of Title 7, chapter 3, the charges collected under subsection (1) must be deposited with the finance officer or treasurer of the consolidated government.

(6) (a) A city or town finance officer or treasurer may retain the charges collected under subsection (1) by a city municipal court or a city or town court and may use that money for the payment of salaries of the city or town attorney and his deputies.

(b) Each county finance officer or treasurer may retain the charges collected under subsection (1) by district courts for crimes committed or alleged to have been committed within that county. The county finance officer or treasurer shall use the money for the payment of salaries of its deputy county attorneys and for the payment of other salaries in the office of the county attorney, and any funds not needed for such salaries may be used for the payment of any other county salaries.""

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 340, second reading copy, be amended as follows:

1. Page 1, line 18.
Following: "TAXATION;"
Insert: "IMPOSING AN ASSESSMENT ON ALL PRIVATELY OWNED TIMBERLAND;"

2. Page 26, line 12.
Following: line 12
Insert: "NEW SECTION. Section 13. Assessment on privately owned timberland -- collection -- disposition. (1) An assessment of 10 cents per acre or portion of an acre is imposed on all privately owned timberland for tax years 1991 through 1993. The assessment is imposed on the owner of the land as of January 1 of each year.

(2) This assessment is done on November 30 of each year and must be paid with the property tax due as provided in 15-16-101.

(3) (a) By September 1 of each year, the department of revenue shall provide county treasurers with a list showing: (i) all owners of private timberland in the county as of January 1 of that year; and ii) the number of acres of timberland owned by each as of January 1 of that year. (b) The county treasurer shall send each listed owner a bill for the assessment imposed in subsection (1) with the property tax notice required in 15-16-101.

(4) The county treasurer shall collect the assessment imposed in subsection (1) and remit collections to the state treasurer by December 20 of each year.

(5) The state treasurer shall deposit all collections from the assessment imposed in subsection (1) in the general fund. "

Renumber: subsequent sections

3. Page 27, line 6.

Following: "6"
Strike: "and 11"
Insert: ", 11, and 13"

4. Page 27, line 12.
Following: "[Sections 6"
Strike: "and 11"
Insert: ", 11, and 13"

5. Page 28, line 4.
Following: line 3
Insert: "(3) [Section 13] terminates January 1, 1994."

And, as amended, do pass. Report adopted.

HB 795, second reading copy, be amended as follows:

1. Page 2, line 19.
Following: "money"
Insert: "deposited"
Following: "fund"
Insert: "in the preceding year"

2. Page 23, lines 5 and 6.
Following: "APPROPRIATION."
Strike: remainder of line 5 through "ACCUMULATED IN" on line 6
Insert: "There is appropriated $225,000 from"

3. Page 23, line 7.
Strike: "IS APPROPRIATED"

And, as amended, do pass. Report adopted.

HB 905, corrected second reading copy, be amended as follows:

1. Title, line 19.
Strike: "AND A TERMINATION DATE"

2. Page 2, lines 6 and 7.
Following: "fund" on line 6
Strike: "--"
Strike: "bonds" on line 7

3. Page 4, lines 13 and 14.
Strike: "(B)" on line 13 through ";" on line 14
Renumber: subsequent subsection

4. Page 4, line 17.
Following: line 16
Insert: "(3) The state treasurer shall transfer money from the building a new century fund to the department to carry out each grant project in the amount authorized by the legislature, and funding must be approved by a three-fourths vote of each house of the legislature."

5. Page 4, line 18.
Strike: "-- bond issuance"

6. Page 5, line 5.
Following: "~~projects~~"
Insert: "to the governor, prioritized pursuant to subsection (2). The governor shall review the projects recommended under this section, the projects recommended by the department of administration under [section 5], and the projects recommended by the department of fish, wildlife, and parks under [section 6] and shall submit a prioritized list of recommended projects"

7. Page 8, lines 4 and 5.
Following: "to" on line 4
Strike: remainder of line 4 through "of" on line 5
Insert: "the governor for recommendation to"

8. Page 9, line 1.
Strike: "each regular session of"
Insert: "the governor for recommendation to"

9. Page 26, lines 21 and 22.
Strike: section 12 in its entirety

And, as amended, do pass. Report adopted.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House recess until 6:00 p.m. Motion carried.

House recessed at 3:20 p.m.

House reconvened at 6:05 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/1/91
Correctly enrolled: HB 117, HB 142, HB 382, HB 536, HB 581, HB 586, HB 615, HB 655, HB 724, HB 732, HB 742, HB 745, HB 962, HR 3.
Examined by the sponsor and found to be correct:
HB 117 - J. Brown
HB 142 - Swysgood
HB 382 - Swysgood
HB 536 - Bradley
HB 581 - Strizich
HB 586 - Swysgood
HB 615 - Thoft
HB 655 - Grady
HB 724 - Elliott
HB 732 - Cohen

HB 742 - Wanzenried
HB 745 - Swysgood
HB 962 - Boharski
HR 3 - Wyatt

Delivered to the Governor for his approval at 3:35 p.m., 4/1/91: HB 65, HB 131, HB 164, HB 174, HB 263, HB 361, HB 423, HB 567, HB 589, HB 602, HB 606, HB 625, HB 697, HB 726, HB 791, HB 798, HB 813, HB 817, HB 864, HB 881, HB 897, HB 915.

TAXATION (Harrington, Chairman): 4/1/91
HB 1004, introduced bill, be amended as follows:

1. Title, page 1, line 5 through page 2, line 6.
Strike: "CLASSIFYING" on page 1, line 5 through "DATES" on page 2, line 6
Insert: "CONSOLIDATING PROPERTY TAX CLASSES; ELIMINATING PRESENT CLASS TWELVE PROPERTY AND INCLUDING TRAILERS AND MOBILE HOMES IN CLASS FOUR PROPERTY; ELIMINATING CLASS EIGHTEEN PROPERTY (NONPRODUCTIVE MINING CLAIMS), CLASS NINETEEN PROPERTY (NONPRODUCTIVE REAL ESTATE), AND CLASS TWENTY PROPERTY (OUT-OF-PRODUCTION AGRICULTURAL LAND AND TIMBERLAND), ALL OF WHICH BECOME TAXABLE AS CLASS FOUR PROPERTY; CONSOLIDATING RAILROAD PROPERTY AND AIRLINE PROPERTY INTO ONE CLASS; DELETING THE FORMULA FOR COMPUTING THE VALUE OF OTHER COMMERCIAL PROPERTY NECESSARY FOR TAXATION OF RAILROAD PROPERTY AND AIRLINE PROPERTY BY DELETING NET AND GROSS PROCEEDS; DELETING THE SEPARATE PROVISION IN CLASS SIX PROPERTY FOR MALTING BARLEY FACILITIES; REPEALING THE STATUTORY APPROPRIATION FOR REIMBURSEMENTS TO LOCAL GOVERNMENTS AND SCHOOLS FOR LOSS OF PERSONAL PROPERTY VALUATION; REPEALING THE PROPERTY TAX LIMITATIONS ENACTED BY INITIATIVE MEASURE NO. 105; AMENDING SECTIONS 7-13-2527, 15-1-101, 15-6-133, 15-6-134, 15-6-135, 15-6-136, 15-6-138, 15-6-141, 15-6-143, 15-6-144, 15-6-145, 15-6-201, 15-8-205, 15-16-111, 15-16-611, 17-7-502, and 67-3-204, MCA, AND SECTION 10, CHAPTER 681, LAWS OF 1985; REPEALING SECTIONS 15-1-111, 15-6-142, 15-6-147, 15-6-148, 15-6-149, 15-6-150, 15-6-153, 15-6-154, 15-6-155, 15-10-401, 15-10-402, 15-10-411, AND 15-10-412, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE"

2. Page 2, line 9 through page 42, line 12.
Strike: everything following the enacting clause
Insert: "Section 1. Section 7-13-2527, MCA, is amended to read:

"7-13-2527. List of property owners. (1) A copy of the order creating the district shall be delivered to the county assessor of each county within the district.

(2) The assessor shall, on or before August 1 of any given year, prepare and certify a list of all persons owning class four, ~~class twelve,~~ or class ~~fourteen~~ eleven property within such district

and deliver a copy of such list to the board of trustees of said district."

Section 2. Section 15-1-101, MCA, is amended to read:

"15-1-101. Definitions. (1) Except as otherwise specifically provided, when terms mentioned in this section are used in connection with taxation, they are defined in the following manner:

(a) The term "agricultural" refers to the raising of livestock, poultry, bees, and other species of domestic animals and wildlife in domestication or a captive environment, and the raising of field crops, fruit, and other animal and vegetable matter for food or fiber.

(b) The term "assessed value" means the value of property as defined in 15-8-111.

(c) The term "average wholesale value" means the value to a dealer prior to reconditioning and profit margin shown in national appraisal guides and manuals or the valuation schedules of the department of revenue.

(d) (i) The term "commercial", when used to describe property, means any property used or owned by a business, a trade, or a nonprofit corporation as defined in 35-2-102 or used for the production of income, except that property described in subsection (ii).

(ii) The following types of property are not commercial:

(A) agricultural lands;

(B) timberlands;

(C) single-family and multifamily residences and ancillary improvements and improvements necessary to the function of a bona fide farm, ranch, or stock operation;

(D) mobile homes used exclusively as a residence except when held by a distributor or dealer of trailers or mobile homes as his stock in trade;

(E) all property described in 15-6-135; and

(F) all property described in 15-6-136.

(e) The term "comparable property" means property that has similar use, function, and utility; that is influenced by the same set of economic trends and physical, governmental, and social factors; and that has the potential of a similar highest and best use.

(f) The term "credit" means solvent debts, secured or unsecured, owing to a person.

(g) The term "improvements" includes all buildings, structures, fences, and improvements situated upon, erected upon, or affixed to land. When the department of revenue or its agent determines that the permanency of location of a mobile home or housetrailer has been established, the mobile home or housetrailer is presumed to be an improvement to real property. A mobile home or housetrailer may be determined to be permanently located only when it is attached to a foundation which cannot feasibly be relocated and only when the wheels are removed.

(h) The term "leasehold improvements" means improvements to mobile homes and mobile homes located on land owned by another person. This property is assessed under the

appropriate classification and the taxes are due and payable in two payments as provided in 15-24-202. Delinquent taxes on such leasehold improvements are a lien only on such leasehold improvements.

(i) The term "livestock" means cattle, sheep, swine, goats, horses, mules, and asses.

(j) The term "mobile home" means forms of housing known as "trailers", "housetrailers", or "trailer coaches" exceeding 8 feet in width or 45 feet in length, designed to be moved from one place to another by an independent power connected to them, or any "trailer", "housetrailer", or "trailer coach" up to 8 feet in width or 45 feet in length used as a principal residence.

~~(k) The term "personal property" includes everything that is the subject of ownership but that is not included within the meaning of the terms "real estate" and "improvements".~~

~~(l)~~[k] The term "poultry" includes all chickens, turkeys, geese, ducks, and other birds raised in domestication to produce food or feathers.

~~(m)~~[l] The term "property" includes moneys, credits, bonds, stocks, franchises, and all other matters and things, real, personal, and mixed, capable of private ownership. This definition must not be construed to authorize the taxation of the stocks of any company or corporation when the property of such company or corporation represented by the stocks is within the state and has been taxed.

~~(n)~~[m] The term "real estate" includes:

(i) the possession of, claim to, ownership of, or right to the possession of land;

(ii) all mines, minerals, and quarries in and under the land subject to the provisions of 15-23-501 and Title 15, chapter 23, part 8; all timber belonging to individuals or corporations growing or being on the lands of the United States; and all rights and privileges appertaining thereto.

~~(o)~~[n] "Research and development firm" means an entity incorporated under the laws of this state or a foreign corporation authorized to do business in this state whose principal purpose is to engage in theoretical analysis, exploration, and experimentation and the extension of investigative findings and theories of a scientific and technical nature into practical application for experimental and demonstration purposes, including the experimental production and testing of models, devices, equipment, materials, and processes.

~~(p)~~[o] The term "taxable value" means the percentage of market or assessed value as provided for in Title 15, chapter 6, part 1.

~~(q)~~[p] The term "weighted mean assessment ratio" means the total of the assessed values divided by the total of the selling prices of all area sales in the stratum.

(2) The phrase "municipal corporation" or "municipality" or "taxing unit" shall be deemed to include a county, city, incorporated town, township, school district, irrigation district, drainage district, or any person, persons, or organized body

authorized by law to establish tax levies for the purpose of raising public revenue.

(3) The term "state board" or "board" when used without other qualification shall mean the state tax appeal board."

Section 3. Section 15-6-133, MCA, is amended to read:

"15-6-133. Class three property -- description -- taxable percentage. (1) Class three property includes:

(a) agricultural land as defined in 15-7-202;

(b) nonproductive patented mining claims outside the limits of an incorporated city or town held by an owner for the ultimate purpose of developing the mineral interests on the property. For the purposes of this subsection (1)(b), the following provisions apply:

(i) The claim may not include any property that is used for residential purposes, recreational purposes as described in 70-16-301, or commercial purposes as defined in 15-1-101 or any property the surface of which is being used for other than mining purposes or has a separate and independent value for such other purposes.

(ii) Improvements to the property that would not disqualify the parcel are taxed as otherwise provided in this title, including that portion of the land upon which such improvements are located and that is reasonably required for the use of the improvements.

(iii) Nonproductive patented mining claim property must be valued as if the land were devoted to agricultural grazing use.

(2) Class three property is taxed at the taxable percentage rate "P" of its productive capacity.

(3) Until July 1, 1986, the taxable percentage rate "P" for class three property is 30%.

(4) Prior to July 1, 1986, the department of revenue shall determine the taxable percentage rate "P" applicable to class three property for the revaluation cycle beginning January 1, 1986, as follows:

(a) The director of the department of revenue shall certify to the governor before July 1, 1986, the percentage by which the appraised value of all property in the state classified under class three as of January 1, 1986, has increased due to the revaluation conducted under 15-7-111. This figure is the "certified statewide percentage increase".

(b) The taxable value of property in class three is determined as a function of the certified statewide percentage increase in accordance with the table shown below.

(c) This table limits the statewide increase in taxable valuation resulting from reappraisal to 0%. In calculating the percentage increase, the department may not consider agricultural use changes during calendar year 1985.

(d) The taxable percentage must be calculated by interpolation to coincide with the nearest whole number certified statewide percentage increase from the following table:

Certified Statewide Percentage Increase	Class Three Taxable Percentage "P"
0	30.00

10	27.27
20	25.00
30	23.08
40	21.43
50	20.00

(5) After July 1, 1986, no adjustment may be made by the department to the taxable percentage rate "P" until a revaluation has been made as provided in 15-7-111."

Section 4. Section 15-6-134, MCA, is amended to read:

"15-6-134. Class four property -- description -- taxable percentage. (1) Class four property includes:

(a) all land except that specifically included in another class;

(b) all improvements, including trailers or mobile homes used as a residence, except those specifically included in another class;

(c) the first $80,000 or less of the market value of any improvement on real property, including trailers or mobile homes, and appurtenant land not exceeding 5 acres owned or under contract for deed and actually occupied for at least 10 months a year as the primary residential dwelling of any person whose total income from all sources and net business income and losses, including otherwise tax-exempt income of all types is not more than $10,000 for a single person or $12,000 for a married couple or a head of household, as adjusted according to subsection (2)(b)(ii);

(d) all golf courses, including land and improvements actually and necessarily used for that purpose, that consist of at least 9 holes and not less than 3,000 lineal yards.

(2) Class four property is taxed as follows:

(a) Except as provided in 15-24-1402 or 15-24-1501, property described in subsections (1)(a) and (1)(b) is taxed at ~~3.86%~~ 4% of its market value.

(b) (i) Property described in subsection (1)(c) is taxed at ~~3.86%~~ 4% of its market value multiplied by a percentage figure based on gross income and determined from the following table:

Income Single Person	Income Married Couple or Head of Household	Percentage Multiplier
$0 - $ 1,000	$0 - $ 1,200	0%
1,001 - 2,000	1,201 - 2,400	10%
2,001 - 3,000	2,401 - 3,600	20%
3,001 - 4,000	3,601 - 4,800	30%
4,001 - 5,000	4,801 - 6,000	40%
5,001 - 6,000	6,001 - 7,200	50%
6,001 - 7,000	7,201 - 8,400	60%
7,001 - 8,000	8,401 - 9,600	70%
8,001 - 9,000	9,601 - 10,800	80%
9,001 - 10,000	10,801 - 12,000	90%

(ii) The income levels contained in the table in subsection (2)(b)(i) must be adjusted for inflation annually by the department of revenue. The adjustment to the income levels is determined by:

(A) multiplying the appropriate dollar amount from the table in subsection (2)(b)(i) by the ratio of the PCE for the second quarter of the year prior to the year of application to the PCE for the second quarter of 1986; and

(B) rounding the product thus obtained to the nearest whole dollar amount.

(iii) "PCE" means the implicit price deflator for personal consumption expenditures as published quarterly in the Survey of Current Business by the bureau of economic analysis of the U.S. department of commerce.

(c) Property described in subsection (1)(d) is taxed at one-half the taxable percentage rate established in subsection (2)(a).

(3) After July 1, 1986, no adjustment may be made by the department to the taxable percentage rate for class four property until a revaluation has been made as provided in 15-7-111.

(4) Within the meaning of comparable property as defined in 15-1-101, property assessed as commercial property is comparable only to other property assessed as commercial property, and property assessed as other than commercial property is comparable only to other property assessed as other than commercial property."

NEW SECTION. Section 5. Property tax credit. (1) For the purposes of this section, the following definitions apply:

(a) "Homestead" means a single-family dwelling unit or unit of a multiple-unit dwelling that is subject to ad valorem taxes in Montana and that is owned and occupied as the principal residence of the owner and as much of the surrounding land, but not in excess of 1 acre, as is reasonably necessary for its use as a dwelling.

(b) "Household" means an association of persons who live in the same dwelling, sharing its furnishings, facilities, accommodations, and expenses. The term does not include bona fide lessees, tenants, or roomers and boarders on contract.

(c) "Proof of payment" means a copy of the notice of the amount of property taxes owed by the taxpayer that was sent to the taxpayer, pursuant to 15-16-101, together with a receipt, issued pursuant to 15-16-104, that shows the amount of property taxes paid by the taxpayer or other documentation approved by the department of revenue that shows the amount of property taxes that were owed by the taxpayer and the receipt of payment of property taxes by the taxpayer or his agent.

(d) "Property tax" means general ad valorem taxes levied against the homestead, exclusive of special assessments, penalties, or interest.

(2) Except as provided in subsection (3), a taxpayer is entitled to receive a credit against taxes imposed under this chapter equal to one-half of the first $400 of property taxes paid by the taxpayer during the taxable year.

(3) (a) A taxpayer who files a claim with the department under 15-30-171 through 15-30-179 is ineligible to receive a credit under this section.

(b) Only one taxpayer in each household is eligible to receive a credit under this section.

(c) A taxpayer shall provide proof of payment at the time a return is filed, claiming a credit for property taxes paid.

(4) The department shall, not later than November 30, notify all Montana residents who pay property taxes that they are eligible for an income tax credit for property tax relief. The content of this notification must be reviewed by the revenue oversight committee prior to its being sent to Montana residents who pay property taxes. The notice must contain, at a minimum, the following statement:

"The 52nd Legislature has provided an income tax credit for property tax relief up to $200 for every Montana resident. To qualify for this credit, you should contact your county assessor or county appraiser."

Section 6. Section 15-6-135, MCA, is amended to read:

"15-6-135. Class five property -- description -- taxable percentage. (1) Class five property includes:

(a) all property used and owned by cooperative rural electrical and cooperative rural telephone associations organized under the laws of Montana, except property owned by cooperative organizations described in subsection (1)(b) of 15-6-137;

~~(b) air and water pollution control equipment as defined in this section;~~

~~(c)~~[b] new industrial property as defined in this section;

~~(d)~~[c] any personal or real property used primarily in the production of gasohol during construction and for the first 3 years of its operation;

~~(e)~~[d] all land and improvements and all personal property owned by a research and development firm, provided that the property is actively devoted to research and development;

~~(f)~~[e] machinery and equipment used in electrolytic reduction facilities.

~~(2) (a) "Air and water pollution equipment" means facilities, machinery, or equipment used to reduce or control water or atmospheric pollution or contamination by removing, reducing, altering, disposing, or storing pollutants, contaminants, wastes, or heat. The department of health and environmental sciences shall determine if such utilization is being made.~~

~~(b) The department of health and environmental sciences' determination as to air and water pollution equipment may be appealed to the board of health and environmental sciences and may not be appealed to either a county tax appeal board or the state tax appeal board. However, the appraised value of the equipment as determined by the department of revenue may be appealed to the county tax appeal board and the state tax appeal board.~~

~~(3)~~[2] "New industrial property" means any new industrial plant, including land, buildings, machinery, and fixtures, used by new industries during the first 3 years of their operation. The

property may not have been assessed within the state of Montana prior to July 1, 1961.

~~(4)~~[3] (a) "New industry" means any person, corporation, firm, partnership, association, or other group that establishes a new plant in Montana for the operation of a new industrial endeavor, as distinguished from a mere expansion, reorganization, or merger of an existing industry.

(b) New industry includes only those industries that:

(i) manufacture, mill, mine, produce, process, or fabricate materials;

(ii) do similar work, employing capital and labor, in which materials unserviceable in their natural state are extracted, processed, or made fit for use or are substantially altered or treated so as to create commercial products or materials; or

(iii) engage in the mechanical or chemical transformation of materials or substances into new products in the manner defined as manufacturing in the 1972 Standard Industrial Classification Manual prepared by the United States office of management and budget.

~~(5)~~[4] New industrial property does not include:

(a) property used by retail or wholesale merchants, commercial services of any type, agriculture, trades, or professions;

(b) a plant that will create adverse impact on existing state, county, or municipal services; or

(c) property used or employed in any industrial plant that has been in operation in this state for 3 years or longer.

~~(6)~~[5] Class five property is taxed at 3% of its market value."

Section 7. Section 15-6-136, MCA, is amended to read:

"15-6-136. Class six property -- description -- taxable percentage. (1) Class six property includes:

(a) livestock and other species of domestic animals and wildlife raised in domestication or a captive environment, except for cats, dogs, and other household pets not raised for profit; and

(b) items of personal property intended for rent or lease in the ordinary course of business, provided each item of personal property satisfies all of the following:

(i) the full and true value of the personal property is less than $5,000;

(ii) the personal property is owned by a business whose primary business income is from rental or lease of personal property to individuals wherein no one customer of the business accounts for more than 10% of the total rentals or leases during a calendar year; and

(iii) the lease of the personal property is generally on an hourly, daily, or weekly basis; and

~~(c) machinery and equipment used in a malting barley facility; and~~

~~(d)~~[c] machinery and equipment used in canola seed oil processing facilities if:

(i) the operators of such facilities employ a minimum of 15 full-time employees; and

(ii) a canola seed oil processing facility locates in the state of Montana after July 25, 1989.

~~(2) "Malting barley facility" means a facility the principal purpose of which is to malt malting barley. The term does not apply to a facility the principal purpose of which is to store, mix, blend, transport, transfer, or otherwise do anything with malting barley, except malt malting barley. However, any machinery or equipment the principal purpose of which is to store, mix, blend, transport, transfer, or otherwise handle malting barley or other machinery or equipment that is used in or is otherwise an integral part of a facility that malts malting barley is machinery or equipment of a malting barley facility for the purposes of this section.~~

~~(3)~~(2) "Canola seed oil processing facility" means a facility that:

(a) extracts oil from canola seeds, refines the crude oil to produce edible oil, formulates and packages the edible oil into food products, or engages in any one or more of those processes; and

(b) employs at least 15 employees in a full-time capacity.

~~(4)~~(3) Class six property is taxed at 4% of its market value."

Section 8. Section 15-6-138, MCA, is amended to read:

"15-6-138. Class eight property -- description -- taxable percentage. (1) Class eight property includes:

(a) all agricultural implements and equipment;

(b) all mining machinery, ~~fixtures, equipment, tools that are not exempt under 15-6-201(1)(r), and supplies~~ except ~~those~~ that included in class five;

(c) all manufacturing machinery, ~~fixtures, equipment, tools that are not exempt under 15-6-201(1)(r), and supplies~~ except ~~those~~ that included in class five;

(d) all trailers, including those prorated under 15-24-102, except those subject to taxation under 61-3-504(2);

(e) all goods and equipment intended for rent or lease, except goods and equipment specifically included and taxed in another class;

(f) buses and trucks having a rated capacity of more than 1 ton, including those prorated under 15-24-102;

(g) truck toppers weighing more than 300 pounds;

~~(h) furniture, fixtures, and equipment, except that specifically included in another class, used in commercial establishments as defined in this section;~~

(h) air and water pollution control equipment as defined in this section;

(i) x-ray and medical and dental equipment;

(j) citizens' band radios and mobile telephones;

(k) radio and television broadcasting and transmitting equipment;

(l) cable television systems;

(m) coal and ore haulers;

(n) theater projectors and sound equipment; and

(o) all other business property not included in any other class in this part, except that property subject to a fee in lieu of a property tax.

(2) As used in this section, "coal and ore haulers" means nonhighway vehicles that exceed 18,000 pounds per axle and that are primarily designed and used to transport coal, ore, or other earthen material in a mining or quarrying environment.

~~(3) "Commercial establishment" includes any hotel; motel; office; petroleum marketing station; or service, wholesale, retail, or food handling business.~~

(3) (a) "Air and water pollution control equipment" means facilities, machinery, or equipment used to reduce or control water or atmospheric pollution or contamination by removing, reducing, altering, disposing of, or storing pollutants, contaminants, wastes, or heat. The department of health and environmental sciences shall determine if such utilization is being made.

(b) The department of health and environmental sciences' determination as to air and water pollution control equipment may be appealed to the board of health and environmental sciences but may not be appealed to either a county tax appeal board or the state tax appeal board. However, the appraised value of the equipment as determined by the department of revenue may be appealed to the county tax appeal board and the state tax appeal board.

(4) Class eight property is taxed at ~~9%~~ 8% of its market value."

Section 9. Section 15-6-141, MCA, is amended to read:

"15-6-141. Class ~~eleven~~ nine property -- description -- taxable percentage. (1) Class ~~eleven~~ nine property includes:

(a) centrally assessed electric power companies' allocations, including, if congress passes legislation that allows the state to tax property owned by an agency created by congress to transmit or distribute electrical energy, allocations of properties constructed, owned, or operated by a public agency created by the congress to transmit or distribute electric energy produced at privately owned generating facilities (not including rural electric cooperatives);

(b) allocations for centrally assessed natural gas companies having a major distribution system in this state; and

(c) centrally assessed companies' allocations except:

(i) electric power and natural gas companies' property;

(ii) property owned by cooperative rural electric and cooperative rural telephone associations and classified in class five;

(iii) property owned by organizations providing telephone communications to rural areas and classified in class seven;

(iv) railroad transportation property included in class ~~fifteen~~ twelve; and

(v) airline transportation property included in class ~~seventeen~~ twelve.

(2) Class ~~eleven~~ nine property is taxed at 12% of market value."

Section 10. Section 15-6-143, MCA, is amended to read:

"15-6-143. (Temporary) Class thirteen property -- description -- taxable percentage -- alternative classification. (1) Class thirteen property includes all timberland.

(2) Timberland is contiguous land exceeding 15 acres in one ownership that is capable of producing timber that can be harvested in commercial quantity.

(3) ~~Class~~ Except as provided in subsection (4), class thirteen property is taxed at ~~the percentage rate "P"~~ 4% of the combined appraised value of the standing timber and grazing productivity of the property.

~~(4) For taxable years beginning January 1, 1986, and thereafter, the taxable percentage rate "P" applicable to class thirteen property is 30%/B, where B is the certified statewide percentage increase to be determined by the department of revenue as provided in subsection (5). The taxable percentage rate "P" shall be rounded downward to the nearest 0.01% and shall be calculated by the department before July 1, 1986.~~

~~(5) (a) Prior to July 1, 1986, the department shall determine the certified statewide percentage increase for class thirteen property using the formula B = X/Y, where:~~

~~(i) X is the appraised value, as of January 1, 1986, of all property in the state, excluding use changes occurring during the preceding year, classified under class thirteen as class thirteen is described in this section; and~~

~~(ii) Y is the appraised value, as of January 1, 1985, of all property in the state that, as of January 1, 1986, would be classified under class thirteen as class thirteen is described in this section.~~

~~(b) B shall be rounded downward to the nearest 0.0001%.~~

~~(6) After July 1, 1986, no adjustment may be made by the department to the taxable percentage rate "P" until a valuation has been made as provided in 15-7-111.~~ (Terminates January 1, ~~1991~~ 1995--sec. 10, Ch. 681, L. 1985.)"

Section 11. Section 15-6-144, MCA, is amended to read:

"15-6-144. Class ~~fourteen~~ eleven property -- description -- taxable percentage. (1) Class ~~fourteen~~ eleven property includes all improvements on land that is eligible for valuation, assessment, and taxation as agricultural land under 15-7-202(2). Class ~~fourteen~~ eleven property includes 1 acre of real property beneath the agricultural improvements. The 1 acre shall be valued at market value.

(2) Class ~~fourteen~~ eleven property is taxed at 80% of the taxable percentage applicable to class four property."

Section 12. Section 15-6-145, MCA, is amended to read:

"15-6-145. Class ~~fifteen~~ twelve property -- description -- taxable percentage. (1) Class ~~fifteen~~ twelve property includes all railroad transportation property as described in the Railroad Revitalization and Regulatory Reform Act of 1976 as it read on January 1, 1986, and all airline transportation property as

described in the Tax Equity and Fiscal Responsibility Act of 1982 as it read on January 1, 1986.

(2) For the ~~taxable~~ tax year beginning January 1, ~~1986~~ 1991, and for each ~~taxable~~ tax year thereafter, class ~~fifteen~~ twelve property is taxed at the percentage rate "R", to be determined by the department as provided in subsection (3), or 12%, whichever is less.

(3) R = A/B where:

(a) A is the total statewide taxable value of all commercial property, except class ~~fifteen~~ twelve property, as commercial property is described in 15-1-101(1)(d)~~, including class 1 and class 2 property~~; and

(b) B is the total statewide market value of all commercial property, except class ~~fifteen~~ twelve property, as commercial property is described in 15-1-101(1)(d)~~, including class 1 and class 2 property~~.

(4) (a) For the taxable year beginning January 1, 1986, and for every taxable year thereafter, the department shall conduct a sales assessment ratio study of all commercial and industrial real property and improvements. The study must be based on:

(i) assessments of such property as of January 1 of the year for which the study is being conducted; and

(ii) a statistically valid sample of sales using data from realty transfer certificates filed during the same taxable year or from the immediately preceding taxable year, but only if a sufficient number of certificates is unavailable from the current taxable year to provide a statistically valid sample.

(b) The department shall determine the value-weighted mean sales assessment ratio "M" for all such property and reduce the taxable value of property described in subsection (4) only, by multiplying the total statewide taxable value of property described in subsection (4)(a) by "M" prior to calculating "A" in subsection (3)(a).

(c) The adjustment referred to in subsection (4)(b) will be made beginning January 1, 1986, and in each subsequent tax year to equalize the railroad taxable values.

(5) For the purpose of complying with the Railroad Revitalization and Regulatory Reform Act of 1976, as it read on January 1, 1986, the rate "R" referred to in this section is the equalized average tax rate generally applicable to commercial and industrial property, except class ~~fifteen~~ twelve property, as commercial property is defined in 15-1-101(1)(d)."

NEW SECTION. Section 13. Class twenty-one property -- description -- taxable percentage -- application for reduced rate. (1) Class twenty-one property includes:

(a) all land used for commercial purposes, except that specifically included in another class;

(b) all improvements used for commercial purposes, except those specifically included in another class; and

(c) all other property not included in any other class in this part, except that property subject to a fee in lieu of a property tax.

(2) (a) Except as provided in 15-24-1402, 15-24-1501, and subsection (2)(b) of this section, class twenty-one property is taxed at 5% of market value.

(b) Real and personal property classified under this section is taxed at 4% of market value if the property:

(i) is integrally related in a single working unit;

(ii) is not in production on the assessment date of the current taxable year; and

(iii) has not been in production during any 6 months of the preceding 12 months before the assessment date of the current taxable year.

(3) A person applying for the reduced rate as provided in subsection (2)(b) shall make an application to the department of revenue on a form provided without cost by the department.

(4) All property classified under this section is subject to the provisions of 15-16-101 and 15-16-102.

Section 14. Section 15-6-201, MCA, is amended to read:

"15-6-201. Exempt categories. (1) The following categories of property are exempt from taxation:

(a) the property of:

(i) the United States, the state, counties, cities, towns, school districts, except, if congress passes legislation that allows the state to tax property owned by an agency created by congress to transmit or distribute electrical energy, the property constructed, owned, or operated by a public agency created by the congress to transmit or distribute electric energy produced at privately owned generating facilities (not including rural electric cooperatives);

(ii) irrigation districts organized under the laws of Montana and not operating for profit;

(iii) municipal corporations; and

(iv) public libraries;

(b) buildings, with land they occupy and furnishings therein, owned by a church and used for actual religious worship or for residences of the clergy, together with adjacent land reasonably necessary for convenient use of the buildings;

(c) property used exclusively for agricultural and horticultural societies, for educational purposes, and for nonprofit health care facilities, as defined in 50-5-101, licensed by the department of health and environmental sciences and organized under Title 35, chapter 2 or 3. A health care facility that is not licensed by the department of health and environmental sciences and organized under Title 35, chapter 2 or 3, is not exempt.

(d) property that meets the following conditions:

(i) is owned and held by any association or corporation organized under Title 35, chapter 2, 3, 20, or 21;

(ii) is devoted exclusively to use in connection with a cemetery or cemeteries for which a permanent care and improvement fund has been established as provided for in Title 35, chapter 20, part 3; and

(iii) is not maintained and operated for private or corporate profit;

(e) institutions of purely public charity;

(f) evidence of debt secured by mortgages of record upon real or personal property in the state of Montana;

(g) public art galleries and public observatories not used or held for private or corporate profit;

(h) all household goods and furniture, including but not limited to clocks, musical instruments, sewing machines, and wearing apparel of members of the family, used by the owner for personal and domestic purposes or for furnishing or equipping the family residence;

(i) a truck canopy cover or topper weighing less than 300 pounds and having no accommodations attached. This property is also exempt from taxation under 61-3-504(2) and 61-3-537.

(j) a bicycle, as defined in 61-1-123, used by the owner for personal transportation purposes;

(k) motor homes, travel trailers, and campers;

(l) all watercraft;

(m) land, fixtures, buildings, and improvements owned by a cooperative association or nonprofit corporation organized to furnish potable water to its members or customers for uses other than the irrigation of agricultural land;

(n) the right of entry that is a property right reserved in land or received by mesne conveyance (exclusive of leasehold interests), devise, or succession to enter land whose surface title is held by another to explore, prospect, or dig for oil, gas, coal, or minerals;

(o) property owned and used by a corporation or association organized and operated exclusively for the care of the developmentally disabled, mentally ill, or vocationally handicapped as defined in 18-5-101, which is not operated for gain or profit;

(p) all farm buildings with a market value of less than $500 and all agricultural implements and machinery with a market value of less than $100;

(q) property owned by a nonprofit corporation organized to provide facilities primarily for training and practice for or competition in international sports and athletic events and not held or used for private or corporate gain or profit. For purposes of this subsection (q), "nonprofit corporation" means an organization exempt from taxation under section 501(c) of the Internal Revenue Code and incorporated and admitted under the Montana Nonprofit Corporation Act.

(r) ~~provided the tools are owned by the taxpayer, the first $15,000 or less of market value of~~ tools that are customarily hand-held and that are used to:

(i) construct, repair, and maintain improvements to real property; or

(ii) repair and maintain machinery, equipment, appliances, or other personal property;

(s) harness, saddlery, and other tack equipment; ~~and~~

(t) a title plant owned by a title insurer or a title insurance producer, as those terms are defined in 33-25-105~~.~~:

(u) furniture and fixtures; and

(v) all tangible supplies and materials used or consumed in a business.

(2) (a) The term "institutions of purely public charity" includes organizations owning and operating facilities for the care of the retired or aged or chronically ill, which are not operated for gain or profit.

(b) The terms "public art galleries" and "public observatories" include only those art galleries and observatories, whether of public or private ownership, that are open to the public without charge at all reasonable hours and are used for the purpose of education only.

(c) The term "furniture and fixtures" means office and store machines, radio and telephone systems, medical and dental equipment, hotel, motel and apartment furniture, bar and restaurant equipment, computer hardware and software, data processing equipment, vending machines, and gas pumps.

(3) The following portions of the appraised value of a capital investment made after January 1, 1979, in a recognized nonfossil form of energy generation, as defined in 15-32-102, are exempt from taxation for a period of 10 years following installation of the property:

(a) $20,000 in the case of a single-family residential dwelling;

(b) $100,000 in the case of a multifamily residential dwelling or a nonresidential structure."

Section 15. Section 15-8-205, MCA, is amended to read:

"15-8-205. Initial assessment of class ~~twelve~~ four trailer and mobile home property -- when. The county assessor shall assess all class ~~twelve~~ four trailer and mobile home property immediately upon arrival in the county if the taxes have not been previously paid for that year in another county in Montana."

Section 16. Section 15-16-111, MCA, is amended to read:

"15-16-111. Personal property -- duty of department.(1) It is the duty of the department of revenue or its agent, upon discovery of any personal property in the county other than that classified as class four property the taxes upon which are not a lien upon real property sufficient to secure the payment of such taxes, to immediately and in any event not more than 5 days thereafter make a report to the treasurer, setting forth the nature, kind, description, and character of such property in such a definite manner that the treasurer can identify the same, the amount and assessed valuation of such property, where the same is located, the amount of taxes due thereon, and the name and address of the owner, claimant, or other person in possession of the same.

(2) Where such personal property is located in any city or town which has provided by ordinance for the collection of its taxes for general, municipal, and administrative purposes by its city treasurer or town clerk, the department also and at the same time shall furnish to the city treasurer or town clerk a duplicate of the notice to the county treasurer. For the purpose of determining the

taxes due on personal property, the department or its agent must use the levy made during the previous year."

Section 17. Section 15-16-611, MCA, is amended to read:

"15-16-611. Reduction of property tax for property destroyed by natural disaster. (1) The department of revenue shall, upon showing by a taxpayer that some or all of the improvements on his real property or a trailer or mobile home ~~as described in 15-6-142~~ have been destroyed to such an extent that such improvements have been rendered unsuitable for their previous use by natural disaster, adjust the taxable value on the property, accounting for the destruction.

(2) The county treasurer shall adjust the tax due and payable for the current year on the property under 15-16-102 as provided in subsection (3) of this section.

(3) To determine the amount of tax due for destroyed property, the county treasurer shall:

(a) multiply the amount of tax levied and assessed on the original taxable value of the property for the year by the ratio that the number of days in the year that the property existed before destruction bears to 365; and

(b) multiply the amount of tax levied and assessed on the adjusted taxable value of the property for the remainder of the year by the ratio that the number of days remaining in the year after the destruction of the property bears to 365.

(4) This section does not apply to delinquent taxes owed on the destroyed property for a year prior to the year in which the property was destroyed.

(5) For the purposes of this section, "natural disaster" includes but is not limited to fire, flood, earthquake, or wind."

Section 18. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-9-202; 2-17-105; 2-18-812; 10-3-203; 10-3-312; 10-3-314; 10-4-301; 13-37-304; ~~15-1-111~~; 15-25-123; 15-31-702; 15-36-112; 15-37-117; 15-65-121; 15-70-101; 16-1-404; 16-1-410; 16-1-411; 17-3-212; 17-5-404; 17-5-424; 17-5-804; 19-8-504; 19-9-702; 19-9-1007; 19-10-205; 19-10-305; 19-10-506; 19-11-512; 19-11-513; 19-11-606; 19-12-301; 19-13-604; 20-6-406; 20-8-111; 20-9-361; 23-5-306; 23-5-409; 23-5-610; 23-5-612;

23-5-1016; 23-5-1027; 27-12-206; 37-51-501; 39-71-2504; 53-6-150; 53-24-206; 61-2-406; 61-5-121; 67-3-205; 75-1-1101; 75-5-1108; 75-11-313; 76-12-123; 80-2-103; 82-11-136; 82-11-161; 90-3-301; 90-4-215; 90-4-613; 90-6-331; 90-9-306; and section 13, House Bill No. 861, Laws of 1985.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for such payments. (In subsection (3), pursuant to sec. 10, Ch. 664, L. 1987, the inclusion of 39-71-2504 terminates June 30, 1991.)"

Section 19. Section 67-3-204, MCA, is amended to read:

"67-3-204. Fee in lieu of tax on registered aircraft -- decal. (1) Except as provided in subsection (3), aircraft required to be registered in Montana are subject to a fee. The registration fee is in lieu of property tax.

(2) The department shall issue a decal to the owner of the aircraft required to be registered at the time of payment of the registration fee in lieu of tax, as provided in 67-3-201. No aircraft subject to a fee in lieu of tax may be operated in this state unless there is displayed on the aircraft a decal as visual proof that the fee in lieu of tax has been paid for the aircraft and that the aircraft is registered for the current year.

(3) Aircraft that meet the description of property described in ~~15-6-147~~ 15-6-145 are exempt from the fee imposed by subsection (1). Aircraft subject to the fee in lieu of tax are exempt from all other taxation."

Section 20. Section 10, Chapter 681, Laws of 1985, is amended to read:

"Section 10. Effective date -- termination ~~date~~ dates.

(1) This act is effective January 1, 1986, and~~, except for section 3,~~ [section 1] terminates January 1, 1991.

(2) [Sections 2 and 4 through 6] terminate January 1, 1995."

NEW SECTION. Section 21. Repealer. Sections 15-1-111, 15-6-142, 15-6-147, 15-6-148, 15-6-149, 15-6-150, 15-6-153, 15-6-154, 15-6-155, 15-10-401, 15-10-402, 15-10-411, and 15-10-412, MCA, are repealed.

NEW SECTION. Section 22. Codification instruction.

(1) [Section 5] is intended to be codified as an integral part of Title 15, chapter 30, and the provisions of Title 15, chapter 30, apply to [section 5].

(2) [Section 13] is intended to be codified as an integral part of Title 15, chapter 6, part 1, and the provisions of Title 15, chapter 6, part 1, apply to [section 13].

NEW SECTION. Section 23. Coordination instruction. (1) If House Bill No. 340 is passed by the 52nd legislature and approved by the governor, then the code commissioner is instructed, at the time of codification of that enactment, to change references in that enactment from class thirteen property to class ten property.

(2) The code commissioner is instructed to change references to classes of property in enactments of the 52nd legislature to conform to the classifications established in [this act].

(3) If House Bill No. 340 is passed and approved and if it includes a section that amends 15-6-143, then the amendments made by [this act] to 15-6-133(1)(c), 15-6-143, and section 10, Chapter 681, Laws of 1985, are void.

NEW SECTION. Section 24. Effective date -- retroactive applicability. [This act] is effective on passage and approval and applies retroactively, within the meaning of 1-2-109, to tax years beginning on or after January 1, 1991."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

March 29, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 60, 107, 113, 118, 153, 158, 160, 193, 230, 232, 236, 237, 248, 258, 279, 286, 295, 296, 304, 307, 331, 341, 347, 356, 379, 389, 392, 403, 410, 413, 420, 422, 429, 436, 462, 479, 507, 515, 562, 587, 630, 654, 663, 675, 794, 812, 848, 863, 902, 920 and 922 on March 29, 1991.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 1, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 111, 146, 161, 191, 203, 290, 311, 588, 712, 771, 816, 819, 829, 840, 938 and 957 on April 1, 1991.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 1, 1991

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 471, "AN ACT TO GENERALLY REVISE THE LAW RELATING TO TRUSTS TO CLARIFY THAT A TRUST INCLUDES A TRUST CREATED IN CONNECTION WITH CERTAIN BONDS; CLARIFYING THAT THE DESIGNATION OF A TRUST IN A CONVEYANCE VESTS THE ESTATE IN THE TRUSTEE; AMENDING SECTIONS 72-33-108 AND 72-36-206, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

I offer here two technical amendments which will more clearly achieve the purpose of this legislation. The language as presented allows only the use of an affidavit. This may be too restrictive and should be broadened to include a recorded instrument.

I urge your concurrence in these amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 471
(REFERENCE COPY, AS AMENDED)
APRIL 1, 1991

1. Page 5, line 19
Following: "party"
Insert: "or by other recorded instrument"

2. Page 5, line 20
Strike: "his"

Insert: "the trustee's"

The Honorable Hal Harper April 1, 1991
Speaker
House of Representatives
State Capitol
Helena, Montana 59620

The Honorable Joseph P. Mazurek
President
Montana State Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 504, "AN ACT TO REQUIRE THAT NEGOTIATIONS RELATING TO PUBLIC EMPLOYEE COLLECTIVE BARGAINING MUST COMMENCE AT LEAST 1 YEAR PRIOR TO SUBMISSION OF THE BUDGET BY THE GOVERNOR OF THE LEGISLATURE; AMENDING SECTION 39-31-305, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

House Bill 504 mandates that labor negotiations between the state of Montana and it's employee collective bargaining units begin one year prior to submission of the Executive Budget by the Governor to the legislature. When bargaining should begin is a mandatory subject of collective bargaining.

Nearly two-thirds of existing contracts provide for pre-budget negotiations directing that such negotiations must begin sufficiently in advance of the submission of the executive budget to allow "adequate negotiations" to take place. Collective bargaining units have recourse through the contractual grievance procedure if "adequate negotiations" have not taken place.

Montana collective bargaining law requires the employer to "meet at reasonable times and negotiate in good faith . . ." If collective bargaining units believe the state is not negotiating in good faith they can seek remedy from the Board of Personnel Appeals.

To uphold the integrity and reality of the collective bargaining process, I find it necessary to propose amendments to House Bill 504.

It is premature to require collective bargaining even before the Office of Budget and Program Planning has prepared a budget for the Governor or the Legislature. Revenue estimates are uncertain in the early stages of budget preparation. Outside influences such as oil price fluctuations, international and national incidents and federal policy changes have tremendous influence on the final submitted budget. Major budget items, including education and human services, are not even determined at the time collective bargaining would be mandated. Agency budget requests are

not submitted until September even under the accelerated budget process instituted by this Administration.

No negotiation can effectively occur until revenue and expenditures have been estimated. To ensure responsible budgeting and to accommodate the desire of this legislative body, I propose to mandate collective bargaining to begin no later than September 30 in the year the Executive Budget is required to be submitted to the legislature. This will accomplish the intent of the bill for a date certain to commence negotiations but will provide sufficient opportunity to know with responsible estimation the revenue and expenditure situation for Montana.

I urge your concurrence in these amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 504
(REFERENCE COPY, AS AMENDED)
APRIL 1, 1991

1. Title, line 6.
Following: "COMMENCE"
Strike: "AT LEAST 1 YEAR PRIOR TO SUBMISSION OF THE BUDGET BY THE GOVERNOR TO THE LEGISLATURE"
Insert: "NO LATER THAN SEPTEMBER 30 OF THE YEAR THE BUDGET MUST BE SUBMITTED TO THE LEGISLATURE BY THE GOVERNOR"

2. Page 2, line 10.
Following: "Negotiations must commence"
Strike: "at least 1 year prior to submission of the budget by the governor to the legislature"
Insert: "no later than September 30 of the year the governor submits the budget to the legislature"

The Honorable Hal Harper 4/1/91
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory

veto to House Bill 758, "AN ACT DIRECTING THE DEPARTMENT OF ADMINISTRATION TO PERMIT PARENTAL LEAVE FOR STATE EMPLOYEES WHO ARE ~~NATURAL~~ BIRTH FATHERS OR ARE ADOPTING CHILDREN ~~UNDER 1 YEAR OF AGE~~; AND AMENDING SECTION 2-18-601, MCA."

Many Montana families find both parents employed and pursuing careers. The family is perhaps the single most important unit for our state and society. I am sympathetic with the desire of new parents to spend time with their children and families immediately following the birth or adoption of a child. I do not agree with requiring state agencies to grant a lengthy leave of absence to all new parents, however, the opportunity to request and anticipate reasonable leave furthers the cohesiveness of the family.

The state's leave benefits can create an impediment to staffing state programs. This is particularly true of programs requiring 24-hour coverage such as the state's hospitals and other institutions. I believe it is premature to mandate a lengthy leave of absence without study to gauge the impact on the staffing and services of essential operations.

Montana's public employees receive good leave benefits compared to employees of private companies in Montana. State employees have considerable flexibility to use their accumulated leave for family medical needs. The bill as presented would require the state to grant another six weeks of paid leave to any birth father or adoptive parent. Birth mothers receive leave based on the disability due to maternity. Requiring an equivalent amount of leave for parents when there is no disability is inappropriate.

The bill allows the use of sick leave for a period of six weeks when there is no sickness suffered by the employee or a family member. This is inconsistent with the restrictions placed on other employee's use of sick leave and may be viewed as unfair to employees without children and whose children are older.

I agree with providing a reasonable leave for new parents, but I believe six weeks is excessive. I therefore propose for your consideration an amendment that will permit up to 10 working days of leave for birth fathers and adoptive parents.

I urge your concurrence in these amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 758
(REFERENCE COPY, AS AMENDED)
APRIL 1, 1991

1. Page 2, lines 7 and 8

Strike: "the same amount of time authorized for MATERNAL leave DUE TO DISABILITY following the birth of a child"
Insert: "a period not to exceed 10 working days"

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/1/91

HB 116, introduced by Cody
HB 485, introduced by Raney
HB 545, introduced by T. Nelson
HB 571, introduced by J. Rice
HB 573, introduced by J. Rice
HB 635, introduced by Measure
HB 639, introduced by Hansen
HB 640, introduced by J. Brown
HB 641, introduced by Knox
HB 642, introduced by Cocchiarella
HB 700, introduced by T. Nelson
HB 749, introduced by Ellison
HB 858, introduced by Gilbert
HB 926, introduced by Hoffman
HB 952, introduced by Raney
HB 974, introduced by Peck
HJR 8, introduced by Kadas
HJR 17, introduced by Larson
HJR 31, introduced by Raney

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/1/91

HB 261, introduced by Kilpatrick
HB 292, introduced by Benedict
HB 335, introduced by J. Johnson
HB 336, introduced by Simpkins
HB 534, introduced by Spring
HB 572, introduced by J. Rice
HB 607, introduced by Raney
HB 651, introduced by Harrington
HB 706, introduced by Cohen
HB 719, introduced by D. Brown
HB 739, introduced by J. Rice
HJR 13, introduced by Connelly
HJR 32, introduced by Russell
HJR 35, introduced by McCarthy
HJR 36, introduced by Toole

House amendments to Senate bills concurred in: 4/1/91

SB 107, introduced by Bengtson
SB 264, introduced by Fritz
SB 276, introduced by Fritz
SB 321, introduced by Fritz

SB 346, introduced by Harp
SB 392, introduced by Keating

Governor's amendments concurred in and transmitted to the House for concurrence: 4/1/91

SB 158, introduced by Jergeson

MOTIONS

Representative D. Brown moved HB 673 be taken from adverse committee report status and be printed and placed on second reading the 69th legislative day. Motion failed.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Cody in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 46 - Representative Galvin moved HB 46 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 75

Noes: Barnhart, Benedict, Bergsagel, Boharski, R. DeBruycker, Ellis, Fagg, Feland, Foster, Grinde, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, McCaffree, Mercer, Messmore, T. Nelson, Simpkins, Swysgood, Thoft, Thomas, Zook.
Total 25

Voted Absentee: Whalen, Aye; R. DeBruycker, M. Hanson, Keller, Knox, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 196 - Representative Kilpatrick moved HB 196 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 67

Noes: Barnett, Benedict, Bergsagel, Boharski, R. DeBruycker, Ellis, Ellison, Feland, Foster, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, T. Nelson, Peterson, Phillips, J. Rice, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 33

Voted Absentee: Whalen, Aye; R. DeBruycker, M. Hanson, Keller, Knox, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 321 - Representative Ream moved HB 321 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 77

Noes: Barnett, Benedict, Bergsagel, Boharski, R. DeBruycker, Ellis, Feland, Foster, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Keller, Knox, Lee, McCaffree, Messmore, Phillips, Spring, Swysgood, Thoft.
Total 23

Voted Absentee: Whalen, Aye; R. DeBruycker, M. Hanson, Keller, Knox, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 781 - Representative Kimberley moved HB 781 do pass.

Representative Becker made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Becker moved HB 781, second reading copy, be amended (amendment #1). Amendment #1 failed as follows: (33-65)

Thereupon, HB 781 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Bachini, Boharski, Driscoll, Feland, M. Hanson, Hayne, Knox, Swysgood, Thoft.
Total 9

Voted Absentee: R. DeBruycker, Keller, Whalen, Ayes; M. Hanson, Knox, Noes.

Excused: Ellis, Messmore.
Total 2

Absent or not voting: Harrington.
Total 1

HB 617 - Representative Ream moved HB 617 do pass. Motion failed as follows:

Ayes: Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, Cocchiarella, Cody, Cohen, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, S.

Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Toole, Whalen, Wyatt, Mr. Speaker.
Total 50

Noes: Bachini, Bardanouve, Barnett, Benedict, Bergsagel, Boharski, J. Brown, Clark, Cobb, Connelly, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, T. Nelson, Peck, Peterson, Phillips, J. Rice, Simpkins, Spring, Stang, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Zook.
Total 50

Voted Absentee: Whalen, Aye; R. DeBruycker, Ellis, M. Hanson, Keller, Knox, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 947 - Representative McCaffree moved HB 947 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Bachini, Boharski, Connelly, R. DeBruycker, Feland, Foster, Kasten, Lee, Phillips, J. Rice, Swysgood, Thoft.
Total 12

Voted Absentee: Ellis, M. Hanson, Keller, Knox, Whalen, Ayes; R. DeBruycker, No.

Excused: Messmore.
Total 1

Absent or not voting: None.
Total 0

HB 973 - Representative Stang moved HB 973 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grinde, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 69

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Cobb, Cody, Connelly, R. DeBruycker, Elliott, Ellis, Feland, Gould, Grady, H. S. Hanson, M. Hanson, Hayne, Kasten, Keller, McCaffree, L. Nelson, Peterson, Phillips, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Wallin, Wyatt.
Total 31

Voted Absentee: Knox, Whalen, Ayes; R. DeBruycker, Ellis, M. Hanson, Keller, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 995 - Representative Harper moved HB 995, second reading copy, be amended as follows (amendment #1):

1. Page 9, line 17.
Following: "bonds."
Insert: "The legislature may not increase the tax rate except upon a two-thirds vote of each house."

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Feland, Grinde, Hayne, Hoffman, Mercer, Phillips, J. Rice, Whalen.
Total 8

Voted Absentee: Whalen, No.

Excused: R. DeBruycker, Ellis, M. Hanson, Keller, Knox.
Total 5

Absent or not voting: Daily, Ellison, Pavlovich.
Total 3

Representative Harper moved HB 995, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Boharski, Clark, R. DeBruycker, Fagg, Feland, Grinde, R. Johnson, Lee, Phillips, Swysgood, Thoft, Wanzenried.
Total 12

Voted Absentee: M. Hanson, Keller, Knox, Whalen, Ayes; R. DeBruycker, No.

Excused: Ellis.
Total 1

Absent or not voting: Connelly, Gilbert.
Total 2

HB 30 - Representative Peck moved HB 30 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice,

Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Wallin, Wyatt, Zook, Mr. Speaker.
Total 78

Noes: Barnett, Bergsagel, Cody, Connelly, Elliott, Feland, Grinde, Kasten, Lee, Measure, Simpkins, Swysgood, Thoft, Tunby, Wanzenried.
Total 15

Excused: R. DeBruycker, Ellis, M. Hanson, Keller, Knox, Whalen.
Total 6

Absent or not voting: Harrington.
Total 1

HB 285 - Representative Schye moved HB 285 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, J. Johnson, Kilpatrick, Kimberley, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Mr. Speaker.
Total 51

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, Connelly, R. DeBruycker, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kadas, Kasten, Keller, Knox, Larson, Lee, Mercer, Messmore, T. Nelson, Peterson, Phillips, J. Rice, S. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Wyatt, Zook.
Total 47

Voted Absentee: R. DeBruycker, Ellis, M. Hanson, Keller, Knox, Noes.

Excused: Whalen.
Total 1

Absent or not voting: Hoffman.
Total 1

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Cody moved the adoption of the committee report.

Representative Ream made a substitute motion HB 617 be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion carried. (57-39)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/1/91
Correctly printed: HB 155, HB 340, HB 795, HB 905, HB 1004.

NATURAL RESOURCES (Raney, Chairman): 4/1/91
HJR 42, introduced bill, do pass. Report adopted.
SJR 18, third reading copy, be concurred in. Report adopted.
SJR 24, third reading copy, be concurred in. Report adopted.
SJR 25, third reading copy, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

The Senate, on 3/28/91, dissolved the conference committee on SB 49 and appointed a free conference committee to meet with a like committee from the House to confer on SB 49.

President Mazurek appointed the following members:

Senator Pinsoneault, Chairman
Senator Waterman
Senator Rye

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HJR 47: Davis, Wallin, Toole, Squires, Hayne, Pavlovich, Daily, Feland, Madison, Harrington, Gould, Becker, J. Johnson, O'Keefe.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Mr. Speaker introduced this week's pages:

Megan Blinn, Conner
Jennifer Bold, Big Sandy
Ben Darrow, Whitefish
Gary Johnson, Lodge Grass
Jolyn Johnson, Belt
Kelly McArdle, Townsend
Chrystal Shaw, Colstrip
Carl Strizich, Helena
Stephanie Mattson, Anaconda, Page to Minority Office

Representative Driscoll moved the House adjourn until 8:00 a.m., Tuesday, April 2, 1991. Motion carried.

House adjourned at 8:45 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

SIXTY-NINTH LEGISLATIVE DAY

Helena, Montana
April 2, 1991

House Chambers
State Capitol

House convened at 8:05 a.m. Mr. Speaker in the Chair. Invocation by Representative Peterson. Pledge of Allegiance to the Flag.

Roll call. All members present except Cobb, Cocchiarella, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the sixty-first and sixty-second legislative days, find the same to be correct.

Menahan, Chairman

Representative Driscoll moved the House recess until 10:00 a.m. Motion carried.

House recessed at 8:10 a.m.

House reconvened at 10:00 a.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/2/91
Correctly printed: HJR 42.
Correctly engrossed: HB 30, HB 46, HB 196, HB 285, HB 321, HB 781, HB 947, HB 973, HB 995.
Signed by the Speaker at 8:00 a.m., 4/2/91: SB 7, SB 84, SB 87, SB 136, SB 156, SB 165, SB 173, SB 188, SB 189, SB 239, SB 243, SB 307, SB 320, SB 329, SB 381, SB 398, SB 402, SB 449, SJR 9, SJR 19.
Delivered to the Secretary of State at 8:55 a.m., 4/2/91: HJR 14

ADVERSE COMMITTEE REPORT

HB 673 - Representative Strizich moved the 4/1/91 adverse committee report on HB 673 be adopted.

Representative D. Brown made a substitute motion the adverse committee report be not adopted and HB 673 be printed and placed on second reading. Motion failed as follows:

Ayes: Beck, Becker, Benedict, Bradley, D. Brown, J. Brown, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, R. DeBruycker, Dolezal, Driscoll, Ellis, Feland, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, Kilpatrick, Larson, McCaffree, McCarthy, McCulloch, Menahan, L. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Strizich, Swysgood, Thoft, Toole, Whalen, Wyatt, Zook.
Total 56

Noes: Bachini, Bardanouve, Barnett, Barnhart, Bergsagel, Boharski, Brooke, Clark, Cohen, Cromley, J. DeBruycker, Dowell, Elliott, Ellison,

Fagg, Forrester, Foster, Gilbert, M. Hanson, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kimberley, Knox, Lee, Madison, Measure, Mercer, Messmore, T. Nelson, O'Keefe, Peck, J. Rice, Spring, Stickney, Thomas, Tunby, Wallin, Wanzenried, Mr. Speaker.
Total 42

Voted Absentee: Cocchiarella, Menahan, Ayes.

Excused: Cobb.
Total 1

Absent or not voting: Quilici.
Total 1

Report adopted.

MOTIONS

Representative Bardanouve moved HB 397 be taken from the table from the Committee on Taxation and be printed and placed on second reading this legislative day. Motion failed.

Representative Darko moved HB 958 be taken from the Committee on Judiciary and be placed on second reading this legislative day. Motion carried.

Representative Lee moved HB 886 be taken from the table from the Committee on Taxation and be printed and placed on second reading this legislative day. Motion failed.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Swysgood in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 617 - Representative Ream moved HB 617, second reading copy, be amended as follows (amendment #1):

1. Title, line 8.
Strike: "AND"

2. Title, line 9.
Following: "MCA"
Insert: "; AND PROVIDING A DELAYED EFFECTIVE DATE"

3. Page 8, line 24.
Following: line 23

Insert: "NEW SECTION. Section 8. Effective date. [This act] is effective January 1, 1993."

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 91

Noes: R. DeBruycker, Knox, Simpkins, Tunby, Wyatt.
Total 5

Excused: Cobb, Menahan.
Total 2

Absent or not voting: Forrester, Quilici.
Total 2

Representative Ream moved HB 617, as amended, do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 55

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cromley, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Peck, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 43

Voted Absentee: Cobb, No.

Excused: Menahan.
Total 1

Absent or not voting: S. J. Hansen.
Total 1

HB 583 - Representative Ellison moved HB 583 do pass. Motion failed as follows:

Ayes: Benedict, Brooke, D. Brown, J. Brown, Clark, Connelly, Cromley, R. DeBruycker, Ellison, Fagg, Forrester, Foster, Gould, Grady, M. Hanson, Hayne, Hoffman, Kadas, Keller, Knox, Larson, McCaffree, Measure, Messmore, Ream, J. Rice, S. Rice, Simpkins, Spring, Steppler, Thomas, Tunby, Wallin, Zook.
Total 34

Noes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Cocchiarella, Cody, Cohen, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Feland, Galvin, Gervais, Gilbert, Grinde, S. J. Hansen, H. S. Hanson, Harrington, J. Johnson, R. Johnson, Kasten, Kilpatrick, Kimberley, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 64

Excused: Cobb.
Total 1

Absent or not voting: Elliott.
Total 1

Representative Driscoll moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Swysgood moved the adoption of the committee report. Report adopted. (78-20)

REPORTS OF STANDING COMMITTEES

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman):

4/1/91

SB 117, third reading copy, be concurred in. Report adopted.
SB 287, third reading copy, be concurred in. Report adopted.
SB 389, third reading copy, be amended as follows:

1. Title, lines 6 and 7.
Strike: "SCHOOL-RELATED" on line 6
Following: "ORGANIZATIONS"
Strike: remainder of line 6 through "DISTRICTS" on line 7
Insert: "REFERRED TO IN SECTION 2-3-203(2), MCA"

2. Title, line 8.
Following: "ORGANIZATION,"
Insert: "THAT"
Strike: "SCHOOL DISTRICT"

Insert: "MEMBER"

3. Page 1, lines 17 through 21.
Following: "organizations" on line 17
Strike: remainder of line 17 through "state" on line 21
Insert: "referred to in 2-3-203(2)"

4. Page 1, line 23.
Following: "a"
Strike: "school district"
Insert: "member"

And, as amended, be concurred in. Report adopted.

SB 395, third reading copy, be concurred in. Report adopted.
SB 456, third reading copy, be amended as follows:

1. Page 2, lines 2 through 6.
Following: "CLAIMS" on line 2
Strike: ","
Insert: "and"
Following: "JUDGMENTS" on line 3
Strike: remainder of line 3 through "WARRANTS" on line 6

And, as amended, be concurred in. Report adopted.

SJR 17, third reading copy, be concurred in. Report adopted.
SJR 20, third reading copy, be concurred in. Report adopted.
SJR 21, third reading copy, be amended as follows:

1. Title, line 7.
Following: "CENTER"
Insert: "AND URGING CONGRESS TO CHANGE THE NAME OF THE PROPOSED CENTER TO THE SACAJAWEA/LEWIS AND CLARK NATIONAL HISTORIC TRAIL INTERPRETIVE CENTER"

2. Page 2, line 24.
Following: line 23
Insert: "(1)"

3. Page 3, line 5.
Following: line 4
Insert: "(2) That the United States Congress also be urged to change the name of the Lewis and Clark National Historic Trail Interpretive Center to the Sacajawea/Lewis and Clark National Historic Trail Interpretive Center in recognition of the contributions of Sacajawea and other Native Americans to the success of the Corps of Discovery."

And, as amended, be concurred in. Report adopted.

JUDICIARY (Strizich, Chairman): 4/1/91
SB 379, third reading copy, be amended as follows:

Amend House Judiciary Committee Report dated March 21, 1991, as follows:

Amendments 1, 4, 5, and 9
Strike: Amendments 1, 4, 5, and 9

Amendment No. 8
In the first line of the insert, following "Section"
Strike: "4"
Insert: "7"
Following: the new section inserted by Amendment No. 8 and before the line reading "Renumber: subsequent sections" that appears at the end of Amendment No. 8
Insert: "NEW SECTION. Section 8. Coordination instruction. If Senate Bill No. 51 is passed and approved and if it repeals 46-1-201, then [section 2 of this act], amending 46-1-201, is void."

Amend the third reading copy of the bill as follows:

1. Page 7, line 6.
Strike: "Section 1"
Insert: "Sections 1 and 7"

2. Page 7, line 9.
Strike: "section 1"
Insert: "sections 1 and 7"

And, as amended, be concurred in. Report adopted.

NATURAL RESOURCES (Raney, Chairman): 4/2/91
SB 211, third reading copy, be amended as follows:

1. Title, lines 6 through 9.
Following: "MCA;" on line 6
Strike: the remainder of line 6 through "FUND;" on line 9
Insert: "ESTABLISHING FACTORS THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES SHALL CONSIDER IN REACHING A SETTLEMENT;"

2. Title, lines 10 and 11.
Following: "75-5-631" on line 10
Strike: ","
Insert: "AND"
Following: "75-5-633,"
Strike: the remainder of line 10 through "75-10-704," on line 11

3. Page 1, line 12.
Following: line 11
Insert: "STATEMENT OF INTENT
It is the legislature's intent that the department of health and environmental sciences develop penalty guidelines to ensure that the civil penalty provided by 75-5-631 is fairly applied by the department in reaching settlement agreements with persons who

have violated Title 75, chapter 5, part 6. The legislature recognizes that the department may, in its initial filings, seek the maximum penalty of $25,000 for each day of violation. However, it is the legislature's intent that the actual amount assessed in a settlement reflect the factors listed in 75-5-631(4) and that the department apply these factors uniformly to all violators.

This bill does not direct the department to adopt rules to ensure the uniform application of the factors listed in 75-5-631(4). The enforcement guidelines developed by the department should include a process for applying the factors to each violator, guidance for determining the amount to request in a civil complaint, and, most importantly, a format for determining an equitable settlement value. The format may include a clear and concise description of penalty settlement ranges by type of violation. The department should complete the guidelines by October 1, 1991."

4. Page 2, lines 1 and 2.
Following: "(4)" on line 1
Strike: "IN" through "TO" on line 2
Insert: "When seeking penalties under"

5. Page 2, line 3.
Following: "ACCOUNT"
Insert: "the following factors in determining an appropriate settlement, if any, subsequent to the filing of a complaint"

6. Page 2, lines 7 and 8.
Following: "VIOLATIONS," on line 7
Strike: "THE DEGREE OF CULPABILITY,"

7. Page 2, line 8.
Strike: "OF"
Insert: "or"

8. Page 2, lines 11 through 25.
Strike: subsections (5) and (6) in their entirety

9. Page 3, line 12 through page 6, line 16.
Following: line 11 on page 3
Strike: sections 3 through 5 in their entirety

And, as amended, be concurred in. Report adopted.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House recess until 1:00 p.m. Motion carried.

House recessed at 11:40 a.m.

House reconvened at 1:00 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/2/91
Examined by the sponsor and found to be correct:
HB 260 - Barnhart
HB 284 - Foster
HB 495 - Harper
HB 535 - Toole
HB 831 - J. Brown
HJR 21 - Whalen
HJR 23 - Lee
Signed by the Speaker at 11:30 a.m., 4/2/91: HB 117, HB 142, HB 382, HB 536, HB 581, HB 586, HB 615, HB 655, HB 724, HB 732, HB 742, HB 745, HB 962, HR 3.

SPECIAL ORDERS OF THE DAY

IN THE NAME AND BY THE AUTHORITY OF THE
STATE OF MONTANA

FIFTY-SECOND LEGISLATURE

IN HONOR OF
JOSEPH DEFREES HOLMES

WHEREAS, a free Press is an essential cornerstone of our great democracy; and

WHEREAS, the Montana Press provides a vital link between the Legislature and the people of Montana; and

WHEREAS, the dedication of the individual reporters representing the media is a critical component; and

WHEREAS, J. D. Holmes served with unique distinction as the Montana Capitol reporter for the Associated Press between 1948 and 1978; and

WHEREAS, J. D. consistently demonstrated his strong interest in and knowledge of the legislative process during his reporting career; and

WHEREAS, his personal library of information about the Legislature has become a State Treasure and continues to serve as a resource for reporters covering the Capitol today;

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives draws attention to J. D. Holmes' high standards and personal dedication during his journalism career and conveys to him its respect, its gratitude and its heartfelt thanks for his thirty years of service to the Legislature, to the Press and to the people of Montana.

BE IT FURTHER RESOLVED, that a copy of this resolution be entered upon the journal of the House of Representatives of the Fifty-Second Legislature, and an original copy of this resolution, signed by the Speaker of the House

of Representatives, the Chief Clerk of the House of Representatives, and the Secretary of State, be transmitted by the Chief Clerk of the House of Representatives to J. D. Holmes, and that an original copy of this resolution be filed with the Montana Historical Society.

Mr. Speaker appointed a committee consisting of Representatives Bradley and Swysgood to escort Mr. J. D. Holmes into the House chamber where the Speaker presented him with the original copy of the resolution. Representative Bardanouve presented brief remarks on behalf of Mr. Holmes.

The committee escorted Mr. J. D. Holmes from the House chamber.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Swysgood in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 801 - Representative Menahan moved HB 801 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, D. Brown, J. Brown, Cocchiarella, Cody, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Nisbet, Pavlovich, Peck, Quilici, J. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wallin, Whalen, Wyatt, Mr. Speaker.
Total 53

Noes: Bachini, Barnett, Benedict, Bergsagel, Clark, Cobb, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Gilbert, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Knox, Messmore, L. Nelson, T. Nelson, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 31

Excused: Brooke, Cohen, Foster, O'Keefe, Raney, Ream, Wanzenried.
Total 7

Absent or not voting: Boharski, Connelly, Grinde, Lee, Mercer, Peterson, Phillips, S. Rice, Steppler.
Total 9

HB 856 - Representative Driscoll moved consideration of HB 856 be placed below HB 354 on the second reading board. Motion carried.

HB 894 - Representative Kimberley moved HB 894 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, D. Brown, J. Brown, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 71

Noes: Barnett, Bergsagel, Clark, Cobb, R. DeBruycker, Elliott, Feland, Gilbert, Grinde, Hoffman, Kadas, Kasten, Knox, McCaffree, Nisbet, Peterson, Simpkins, Spring, Swysgood, Thoft.
Total 20

Excused: Brooke, Cohen, Foster, O'Keefe, Ream, Wanzenried.
Total 6

Absent or not voting: Pavlovich, Schye, Thomas.
Total 3

HB 994 - Representative Hansen moved HB 994 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Elliott, Fagg, Forrester, Gervais, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Squires, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 54

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, J. DeBruycker, R. DeBruycker, Driscoll, Ellis, Ellison, Feland, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Lee, McCaffree, Mercer, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Simpkins, Spring, Stang, Steppler, Swysgood, Thoft, Thomas, Wallin, Zook.
Total 42

Excused: Foster, Knox, O'Keefe.
Total 3

Absent or not voting: Scott.
Total 1

HB 1002 - Representative Ellison moved HB 1002 do pass. Motion carried as follows:

Ayes: Barnhart, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Forrester, Gervais, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Menahan, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Spring, Squires, Stang, Stickney, Strizich, Wallin, Mr. Speaker.
Total 57

Noes: Bachini, Bardanouve, Barnett, Beck, Becker, Bergsagel, Boharski, Clark, Cobb, Cody, J. DeBruycker, Driscoll, Feland, Foster, Galvin, Gilbert, Grinde, H. S. Hanson, Hoffman, R. Johnson, Kasten, Lee, McCaffree, Measure, Mercer, L. Nelson, Peck, Phillips, Schye, Scott, Simpkins, Southworth, Steppler, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt.
Total 41

Excused: None.
Total 0

Absent or not voting: Messmore, Zook.
Total 2

HB 822 - Representative Kadas moved HB 822 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Toole, Whalen, Mr. Speaker.
Total 52

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cody, Connelly, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Wyatt, Zook.
Total 46

Excused: None.
Total 0

Absent or not voting: Cobb, Schye.
Total 2

HB 74 - Representative Strizich moved HB 74 do pass. Motion carried as follows:

Ayes: Barnhart, Beck, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wallin, Whalen, Wyatt, Mr. Speaker.
Total 54

Noes: Bachini, Barnett, Becker, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, R. DeBruycker, Dowell, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wanzenried, Zook.
Total 45

Excused: None.
Total 0

Absent or not voting: Bardanouve.
Total 1

HB 155 - Representative Strizich moved HB 155 do pass. Motion failed as follows:

Ayes: Barnhart, Becker, Bradley, Brooke, D. Brown, Cobb, Cocchiarella, Connelly, Daily, Dolezal, Driscoll, Fagg, Galvin, Gervais, Gould, S. J. Hansen, Harrington, R. Johnson, Kadas, Kimberley, Larson, Madison, McCarthy, McCulloch, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Squires, Stickney, Strizich, Toole, Wallin, Wyatt.
Total 42

Noes: Bachini, Bardanouve, Barnett, Beck, Benedict, Bergsagel, Boharski, J. Brown, Clark, Cody, Cohen, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dowell, Elliott, Ellis, Ellison, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Kasten, Keller, Kilpatrick, Knox, Lee, McCaffree, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, Raney, Simpkins, Southworth, Spring, Stang, Steppler, Swysgood, Thoft, Thomas, Tunby, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 54

Excused: None.
Total 0

Absent or not voting: Forrester, Grady, Hoffman, J. Johnson.
Total 4

HB 312 - Representative Hoffman moved HB 312 do pass. Motion failed as follows:

Ayes: Bradley, Brooke, D. Brown, Cobb, Cohen, Cromley, Daily, R. DeBruycker, Dolezal, Forrester, Galvin, Gervais, Grady, S. J. Hansen, Harrington, Hoffman, Madison, McCaffree, McCarthy, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Quilici, Ream, J. Rice, S. Rice, Russell, Simpkins, Southworth, Squires, Stickney, Strizich, Toole, Wyatt, Zook.
Total 37

Noes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Bergsagel, Boharski, J. Brown, Clark, Cocchiarella, Cody, Connelly, Darko, Davis, J. DeBruycker, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCulloch, Measure, Mercer, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Raney, Schye, Scott, Spring, Stang, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Mr. Speaker.
Total 61

Excused: None.
Total 0

Absent or not voting: Beck, Whalen.
Total 2

HB 354 - Representative Schye moved HB 354, second reading copy, be amended as follows (amendment #1):

1. Page 1, line 22.
Following: line 21
Insert: "NEW SECTION. Section 2. Levy against certain properties prohibited. The levy authorized by this part may not be assessed against properties located within the incorporated boundaries of a city or town."
Renumber: subsequent section

Amendment #1 passed as follows:

yes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 91

Noes: Bachini, Bergsagel, R. DeBruycker, Galvin, Peck, Stang, Wyatt.
Total 7

Excused: None.
Total 0

Absent or not voting: Darko, Elliott.
Total 2

Representative Schye moved HB 354, as amended, do pass. Motion carried as follows:

Ayes: Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Davis, J. DeBruycker, Dolezal, Dowell, Ellis, Forrester, Foster, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Madison, McCaffree, McCarthy, McCulloch, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Toole, Whalen, Zook.
Total 60

Noes: Bachini, Bardanouve, Barnett, Benedict, Bergsagel, Boharski, Cobb, Connelly, Darko, R. DeBruycker, Driscoll, Elliott, Ellison, Fagg, Feland, Galvin, Grinde, H. S. Hanson, M. Hanson, Knox, Larson, Lee, Measure, Mercer, Messmore, T. Nelson, Peck, Peterson, Phillips, Raney, J. Rice, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Wyatt, Mr. Speaker.
Total 40

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 856 - Representative Foster moved HB 856 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 82

Noes: Bachini, Barnett, Connelly, R. DeBruycker, Ellis, Feland, Gould, Kasten, T. Nelson, Ream, Southworth, Steppler, Swysgood, Thoft, Wyatt.
Total 15

Excused: None.
Total 0

Absent or not voting: Elliott, S. Rice, Tunby.
Total 3

HB 408 - Representative Schye moved HB 408 do pass. Motion failed as follows:

Ayes: Barnhart, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Connelly, Daily, Darko, Davis, Dolezal, Elliott, Forrester, Gervais, Gould, S. J. Hansen, Harrington, Kadas, Kilpatrick, Kimberley, Madison, McCarthy, McCulloch, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Ream, Russell, Schye, Scott, Southworth, Spring, Stickney, Strizich, Toole, Whalen, Wyatt.
Total 40

Noes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Boharski, Clark, Cobb, Cody, Cohen, Cromley, R. DeBruycker, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Larson, Lee, McCaffree, Measure, Mercer, Messmore, T. Nelson, Peck, Peterson, Phillips, Raney, J. Rice, S. Rice, Simpkins, Squires, Stang, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 58

Excused: None.
Total 0

Absent or not voting: Bergsagel, J. DeBruycker.
Total 2

HB 518 - Representative Messmore moved HB 518 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cody, Cohen, Connelly, Cromley, Daily, Dolezal, Dowell, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: D. Brown, Cocchiarella, Darko, Davis, J. DeBruycker, R. DeBruycker, Driscoll, Elliott, Galvin, S. J. Hansen, Harrington, McCaffree, McCarthy, L. Nelson.
Total 14

Excused: None.
Total 0

Absent or not voting: Stang.
Total 1

HB 677 - Representative Benedict moved HB 677 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Daily, Darko, Davis, Dolezal, Ellis, Fagg, Forrester, Foster, Galvin, Gould, Grady, M. Hanson, Hoffman, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Squires, Stickney, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 61

Noes: Bachini, Becker, Bergsagel, Cody, Cohen, Connelly, Cromley, J. DeBruycker, R. DeBruycker, Dowell, Driscoll, Elliott, Ellison, Feland, Gilbert, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, J. Johnson, Kasten, Lee, Measure, Mercer, Messmore, L. Nelson, Peterson, Phillips, Southworth, Spring, Stang, Steppler, Swysgood, Thoft, Wyatt.
Total 36

Excused: None.
Total 0

Absent or not voting: D. Brown, Gervais, Strizich.
Total 3

HB 738 - Representative Elliott moved HB 738 do pass. Motion failed as follows:

Ayes: Barnhart, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Daily, Darko, Davis, J. DeBruycker, Dolezal, Driscoll, Elliott, Forrester, Gervais, Gilbert, S. J. Hansen, Harrington, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, McCaffree, McCarthy, McCulloch, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Toole, Wanzenried, Whalen.
Total 48

Noes: Bachini, Bardanouve, Barnett, Beck, Benedict, Bergsagel, Boharski, Clark, Cobb, Connelly, Cromley, R. DeBruycker, Dowell, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, Kasten, Keller, Knox, Lee, Measure, Mercer,

Messmore, T. Nelson, Peck, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Wyatt, Zook, Mr. Speaker.
Total 49

Excused: None.
Total 0

Absent or not voting: Gould, Madison, Strizich.
Total 3

HB 806 - Representative Spring moved HB 806 do pass. Motion failed as follows:

Ayes: Barnhart, Bradley, D. Brown, Daily, J. DeBruycker, Elliott, Ellis, Forrester, Harrington, Hayne, Kadas, Keller, McCarthy, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Russell, Schye, Spring, Steppler, Stickney, Strizich, Whalen.
Total 25

Noes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hoffman, J. Johnson, R. Johnson, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Peck, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Scott, Simpkins, Southworth, Squires, Stang, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 75

Voted Absentee: Darko, Driscoll, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 319 - Representative Toole moved HB 319, second reading copy, be amended as follows (amendment #1):

1. Title, lines 13 and 14.
Following: "INMATES;" on line 13
Strike: "CREATING A STATE DEBT BY"
Following: "OF" on line 14
Strike: "GENERAL OBLIGATION"
Insert: "REVENUE"

2. Page 10, lines 4 and 5.
Following: "of" on line 4
Strike: "examiners provided for in 2-15-1007"

Insert: "investments created in 2-15-1808"

3. Page 10, line 6.
Following: "means"
Insert: "revenue"

4. Page 10, line 9.
Following: "sell"
Insert: "revenue"

5. Page 10, line 10.
Following: "payable"
Insert: "solely"

6. Page 10, lines 12 and 13.
Strike: line 12 through "bonds" on line 13

7. Page 12, lines 19 through 22.
Strike: section 14 in its entirety
Insert: "NEW SECTION. Section 14. Credit of state not pledged. (1) Bonds issued under the provisions of [sections 7 through 15] do not constitute a debt, liability, obligation, or pledge of the faith and credit of the state but are payable solely from the revenue deposited in the jail bond account established in [section 15].

(2) Bonds issued under the provisions of [sections 7 through 15] must contain on the face a statement to the effect that the state of Montana is not liable on the obligation, the obligation is not a debt of the state, and neither the faith and credit nor the taxing power of the state is pledged to the payment of the principal and interest on the bonds."

8. Page 18, lines 13 through 22.
Strike: section 22 in its entirety
Renumber: subsequent section

9. Page 18, line 24.
Following: "through"
Strike: "22"
Insert: "21"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang,

Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: Bergsagel, Boharski, Brooke, Cobb, Cromley, R. DeBruycker, Feland, Foster, Grinde, Kasten, Simpkins, Spring, Swysgood, Thoft.
Total 14

Excused: Darko, Driscoll.
Total 2

Absent or not voting: D. Brown, Phillips.
Total 2

Representative Toole moved HB 319, as amended, do pass. Motion failed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Connelly, Daily, Darko, Dolezal, Dowell, Galvin, Gervais, S. J. Hansen, Harrington, Kadas, Kilpatrick, Larson, Madison, McCarthy, Menahan, Nisbet, O'Keefe, Peck, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Mr. Speaker.
Total 46

Noes: Barnett, Bergsagel, Boharski, Clark, Cobb, Cody, Cohen, Cromley, Davis, J. DeBruycker, R. DeBruycker, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kimberley, Knox, Lee, McCaffree, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Pavlovich, Peterson, Phillips, Raney, Scott, Simpkins, Southworth, Spring, Steppler, Swysgood, Thoft, Wanzenried, Zook.
Total 54

Voted Absentee: Darko, Aye; Driscoll, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

~~HB 996~~ - Representative Ream moved HB 996, second reading copy, be amended as follows (amendment #1):

1. Title, line 16.
Following: "15-30-115,"
Insert: "15-30-116,"

2. Page 11, line 2.
Following: "following"
Strike: "additional deductions"
Insert: "additions and deductions"

3. Page 11, line 11.
Following: line 10
Insert: "The following income must be deducted:
(i)"

4. Page 11, line 12.
Following: "STATES"
Strike: "MAY BE DEDUCTED."
Insert: ";
(ii) all payments under veterans bonus laws; and
(iii) the salary received from the armed forces by residents of Montana who are serving on active duty in the regular armed forces and who entered into active duty from Montana."

5. Page 11.
Following: line 25
Insert: "(c) The following income must be added: interest received on obligations of another state, territory, county, municipality, district, or other political subdivision thereof."

6. Page 16, lines 7 through 14.
Strike: subsection 3 in its entirety
Insert: "(3) If the amount of tax due is greater than the amount paid, the difference must be paid by the taxpayer to the department within 60 days after notice of the amount of the tax as computed, with interest added at the rate of 9% per year or fraction thereof on the additional tax. In such case, there may be no penalty because of the underpayment, provided the deficiency is paid within 60 days after the first notice of the amount is mailed to the taxpayer."

7. Page 46, line 21.
Following: "15-30-115,"
Insert: "15-30-116,"

8. Page 47, line 14.
Following: "THE"
Strike: "90-DAY"
Insert: "60-day"

9. Page 47, line 15.
Following: "SECTION"
Strike: "10"
Insert: "11"
Following: "TO"
Strike: "60"
Insert: "30"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gilbert, Gould, Grinde, S. J.

Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Barnett, Cobb, R. DeBruycker.
Total 3

Excused: Darko, Driscoll.
Total 2

Absent or not voting: D. Brown, Feland, Gervais, Grady, S. Rice, Strizich.
Total 6

Representative Ream moved HB 996, as amended, do pass.

Representative McCarthy made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative McCarthy moved HB 996, second reading copy, be further amended as follows (amendment #2):

1. Page 47.
Following: line 16
Insert: "(3) (a) If Senate Bill No. 226 is not passed and approved, then [this act] is void.

(b) If Senate Bill No. 226 is passed and approved, then the following section is to be codified in Title 15, chapter 30, part 1, and the bracketed blanks must contain the dollar amount of the exemption that appears in 15-30-111(2)(c) as it reads in Senate Bill No. 226:

"Credit for qualified retirement income. (1) There is a retirement income credit against the tax imposed by this chapter for the first [$_____] of qualified retirement income received by a taxpayer.

(2) The amount of the credit authorized by this section is 4.5% of the first [$_____] of qualified retirement income.

(3) Income qualifies for the credit under this section if it is received by the taxpayer from any of the following:

(a) the Federal Employees' Retirement System Act or any other federal retirement system subject to federal income taxation;

(b) the public employee retirement laws of Montana or another state;

(c) an annuity, pension, or endowment under any private or corporate retirement plan or system.""

Amendment #2 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 82

Noes: Bergsagel, Boharski, R. DeBruycker, Elliott, Gilbert, Grinde, S. J. Hansen, Hayne, Kadas, Kasten, Keller, Lee, Phillips, Steppler, Swysgood, Thoft, Wallin, Zook.
Total 18

Voted Absentee: Darko, Driscoll, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Thereupon, HB 996, as amended, passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 60

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Davis, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 40

Voted Absentee: Driscoll, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 340 - Representative Ream moved HB 340 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Steppler, Stickney, Strizich, Toole, Wallin, Whalen, Wyatt, Mr. Speaker.
Total 67

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Elliott, Feland, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, Mercer, T. Nelson, Peck, Peterson, Phillips, Simpkins, Spring, Stang, Swysgood, Thoft, Thomas, Tunby, Wanzenried, Zook.
Total 33

Voted Absentee: Driscoll, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 147 - Representative Cohen moved HB 147 do pass. Motion failed as follows:

Ayes: Bardanouve, Barnhart, Beck, Bradley, Brooke, D. Brown, Cocchiarella, Cohen, Darko, Davis, Dolezal, Driscoll, Gervais, Gilbert, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, O'Keefe, Peck, Raney, Ream, S. Rice, Russell, Schye, Southworth, Squires, Stickney, Strizich, Toole, Whalen, Wyatt, Mr. Speaker.
Total 40

Noes: Bachini, Barnett, Becker, Benedict, Bergsagel, Boharski, J. Brown, Clark, Cobb, Cody, Connelly, Cromley, Daily, J. DeBruycker, R. DeBruycker, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, J. Rice, Scott, Simpkins, Spring, Stang, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Zook.
Total 59

Excused: None.
Total 0

Absent or not voting: Quilici.
Total 1

HB 795 - Representative Steppler moved HB 795, second reading copy, be amended (amendment #1). Amendment #1 failed as follows: (29-65)

Representative Cohen moved HB 795, second reading copy, be amended (amendment #2). Amendment #2 failed as follows: (44-54)

Representative Harper moved HB 795 do pass.

Representative Daily moved to call for cloture. Motion carried.

Thereupon, HB 795 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 58

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, Cohen, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 42

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 905 - Representative Bradley moved HB 905, second reading copy, be amended as follows (amendment #1):

1. Title, line 19.
Following: "~~DATE~~"
Insert: "AND A TERMINATION DATE"

2. Page 27, line 10.
Insert: "NEW SECTION. Section 12. Termination. [This act] terminates July 1, 2001."

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb,

Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: J. DeBruycker, Measure, Swysgood, Thoft.
Total 4

Excused: None.
Total 0

Absent or not voting: Ellis, Grady, Lee, McCaffree, Phillips.
Total 5

Representative Bradley moved HB 905, as amended, do pass. Motion failed as follows:

Ayes: Bachini, Barnhart, Bradley, D. Brown, J. Brown, Cobb, Cody, Cohen, Connelly, Cromley, Dowell, Driscoll, Forrester, Galvin, Gervais, Harrington, J. Johnson, Kadas, Larson, Madison, McCarthy, Menahan, Nisbet, Pavlovich, Quilici, Ream, J. Rice, Schye, Southworth, Stang, Steppler, Toole, Wanzenried, Wyatt, Zook.
Total 35

Noes: Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, Clark, Cocchiarella, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, McCaffree, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Peterson, Phillips, Raney, S. Rice, Russell, Scott, Simpkins, Spring, Squires, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Whalen.
Total 62

Excused: Mr. Speaker.
Total 1

Absent or not voting: M. Hanson, Peck.
Total 2

HB 1007 - Representative Kadas moved HB 1007 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Gervais, Gould, S. J. Hansen,

Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 55

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cody, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 44

Excused: None.
Total 0

Absent or not voting: Cobb.
Total 1

HB 1004 - Representative Dolezal moved HB 1004, second reading copy, be amended as follows (amendment #1):

1. Page 11, line 13.
Following: "yards"
Insert: ";
(e) non productive land under 20 acres"

2. Page 12, line 24.
Strike: "subsection"
Insert: "subsections"
Following: "(1)(d)"
Insert: "and (1)(e)"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whaler, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Bergsagel, R. DeBruycker, Galvin, H. S. Hanson, T. Nelson, J. Rice, Wallin.
Total 7

Excused: None.
Total 0

Absent or not voting: Gilbert, Kadas, McCarthy, Stickney.
Total 4

Representative Dolezal moved HB 1004, second reading copy, be further amended as follows (amendment #2):

1. Page 33, line 1.
Following: "means"
Insert: "property that is not centrally assessed pursuant to Title 15, chapter 23, and includes"

Amendment #2 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Whalen, Wyatt, Mr. Speaker.
Total 58

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Peterson, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Zook.
Total 40

Excused: None.
Total 0

Absent or not voting: Phillips, S. Rice.
Total 2

Representative Dolezal moved HB 1004, as amended, do pass.

Representative Daily moved to call for cloture. Motion carried.

Thereupon, HB 1004, as amended, passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Peck, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 53

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cromley, Daily, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCarthy, Mercer, Messmore, L. Nelson, T. Nelson, Pavlovich, Peterson, Phillips, Quilici, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 47

Voted Absentee: Bradley, Mr. Speaker, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 778 - Representative D. Brown moved HB 778, second reading copy, be amended as follows (amendment #1):

1. Title, line 11.
Following: "OF"
Strike: "LEASED"

2. Title, line 18.
Following: "OF"
Strike: "LEASED"

3. Title, line 20.
Following: line 19
Insert: "RECREATIONAL USE"

4. Title, line 21.
Following: "OF"
Strike: "LEASED"

5. Title, page 2, line 3.
Following: "LIVESTOCK;"
Strike: "PROVIDING AN APPROPRIATION;"

6. Pages 3 and 4.
Following: "~~gates.~~" on page 3, line 2.
Strike: the remainder of the statement of intent in its entirety
Insert: "A statement of intent is required for this bill because [section 13] requires the board of land commissioners to adopt rules to implement the provisions for recreational use of state lands established by this bill. Consistent with the provisions of this bill, it is intended that public recreational use of state lands be accomplished to the fullest extent possible. It is acknowledged that certain state lands will merit closure from public recreational use due to certain considerations, including but not limited to the presence of growing crops and livestock and the proximity of dwellings and agricultural buildings. Nothing in this bill

authorizes or purports to authorize trespass on private lands to reach state lands.

This bill requires the board to adopt rules governing the actions of the recreational user of state lands. These rules must address protection of the resource value, compensation for damage to improvements, criteria for closure, restrictions upon certain recreational activities, and, when state land is posted, provision for the recreational user to contact the lessee or his agent to provide prior notice of the type and extent of the recreational use contemplated.

[Section 18] authorizes the department to adopt rules for weed control activities. It is the intent of the legislature that the board establish a procedure whereby weed infestations on state lands that are attributable to recreational access are controlled or eradicated. Examples of procedures that fulfill this intent include:

(1) a departmental weed control program;

(2) payments for weed control activities; and

(3) payments to county weed boards.

It is the intent of the legislature that the board evaluate the implementation of this bill, develop recommendations to address problems, if any, that arise through the course of rulemaking and implementation, and report its findings and recommendations to the 53rd legislature."

7. Page 4.
Following: line 17
Strike everything after the enacting clause
Insert: "Section 1. Section 19-8-504, MCA, is amended to read:

"19-8-504. State's contribution. Each month the state treasurer shall pay to the account, out of the department of fish, wildlife, and parks moneys, a sum equal to 7.15% of the total of all members' salaries, and out of the moneys collected as fines and forfeited bonds under the provisions of 87-1-601(1) through (5) or moneys distributed under 3-10-601(4), all such collections are statutorily appropriated to the account until the unfunded liability in the account is solvent and a verification statement to that effect is given to the state treasurer by the board."

Section 2. Section 77-1-101, MCA, is amended to read:

"77-1-101. Definitions. Unless the context requires otherwise and except for the definition of state land in 77-1-701, in this title the following definitions apply:

(1) "Department" means the department of state lands provided for in Title 2, chapter 15, part 32.

(2) "Board" means the board of land commissioners provided for in Article X, section 4, of the constitution of this state.

(3) "Commissioner" means the commissioner of state lands provided for in 2-15-3202.

(4) "State land" or "lands" means lands granted to the state by the United States for any purpose, either directly or through exchange for other lands; lands deeded or devised to the state from any person; and lands that are the property of the state through the operation of law. The term does not include lands the

state conveys through the issuance of patent; lands used for building sites, campus grounds, or experimental purposes by any state institution that are the property of that institution; or lands acquired through foreclosure of any investments purchased under the provisions of 17-6-211.

(5) "Commercial or concentrated recreational use" means any recreational use that is organized, developed, or coordinated, whether for profit or otherwise. Commercial or concentrated recreational use includes all outfitting activity and all activities not included within the definition of general recreational use.

(6) "General recreational use" includes noncommercial and nonconcentrated hunting, fishing, and other activities determined by the board to be compatible with the use of state lands. General recreational use does not include the use of streams and rivers by the public under the stream access laws provided in Title 23, chapter 2, part 3.

(7) "Legally accessible state lands" means state lands that can be accessed by dedicated public road, right-of-way, or easement; by public waters; by adjacent federal, state, county, or municipal land if the land is open to public use; or by adjacent contiguous private land if permission to cross the land has been secured from the landowner. The granting of permission by a private landowner to cross private property in a particular instance does not subject the state land that is accessed to general recreational use by members of the public other than those granted permission."

Section 3. Section 77-1-202, MCA, is amended to read:

"77-1-202. Powers and duties of board. (1) The board shall exercise general authority, direction, and control over the care, management, and disposition of state lands and, subject to the investment authority of the board of investments, the funds arising from the leasing, use, sale, and disposition of those lands or otherwise coming under its administration. In the exercise of these powers, the guiding rule and principle is that these lands and funds are held in trust for the support of education and for the attainment of other worthy objects helpful to the well-being of the people of this state. The board shall administer this trust to secure the largest measure of legitimate and reasonable advantage to the state.

(2) It is consistent with the powers and duties provided in subsection (1) that the people are entitled to general recreational use of state lands to the extent that the trusts are compensated for the value of the recreation.

~~(2)~~(3) When acquiring land for the state, the board shall determine the value thereof after an appraisal by a qualified land appraiser."

Section 4. Section 77-1-203, MCA, is amended to read:

"77-1-203. Multiple-use management. (1) The board shall manage state lands under the multiple-use management concept defined as the management of all the various resources of the state lands so that:

(a) they are utilized in that combination best meeting the needs of the people and the beneficiaries of the trust, making the most judicious use of the land for some or all of those resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions and realizing that some land may be used for less than all of the resources; and

(b) harmonious and coordinated management of the various resources, each with the other, will result without impairment of the productivity of the land, with consideration being given to the relative values of the various resources.

(2) If a parcel of state land in one class has other multiple uses or resource values which are of such significance that they do not warrant classification for the value, the land shall, nevertheless, be managed insofar as is possible to maintain or enhance these multiple-use values.

(3) State lands, including those lands that are leased primarily for other purposes, are open to general recreational use subject to legal access and to closures and restrictions pursuant to rules adopted under [section 13].

(4) The department shall include in all new or renewal leases and licenses a provision that leased lands may not be closed at any time to the public for general recreational purposes without the advanced written permission of the department."

Section 5. Section 77-1-204, MCA, is amended to read:

"77-1-204. Power to sell, lease, or exchange certain state lands. (1) The board is authorized to lease state lands for uses other than agriculture, grazing, timber harvest, or mineral production under such terms and conditions which best meet the duties of the board as specified in 77-1-202 and 77-1-203~~(1)~~. The lease period for such leases, except for power and school site leases, may not be for longer than 40 years.

(2) The board shall have full power and authority to sell, exchange or lease lands under its jurisdiction by virtue of 77-1-214 when, in its judgment, it is advantageous to the state to do so in the highest orderly development and management of state forests and state parks. Said sale, lease, or exchange shall not be contrary to the terms of any contract which it has entered into."

Section 6. Section 77-1-402, MCA, is amended to read:

"77-1-402. Basis for classification or reclassification. (1) The classification or reclassification shall be so made as to place state land in the class which best accomplishes the powers and duties of the board as specified in 77-1-202 and 77-1-203~~(1)~~. When state lands are classified or reclassified in accordance with these duties and responsibilities, special attention shall be paid to the capability of the land to support an actual or proposed land use authorized by each classification.

(2) It is the duty of the department to classify or reclassify state lands so that no state land will be sold, leased, or used under a different classification from that to which it actually belongs."

Section 7. Section 87-1-102, MCA, is amended to read:

"87-1-102. Penalties. (1) A person violating any provision of this title, any other state law pertaining to fish and game, or the orders or rules of the commission or department is, unless a different punishment is expressly provided by law for the violation, guilty of a misdemeanor and shall be fined not less than $50 or more than $500, imprisoned in the county jail for not more than 6 months, or both. In addition, the person shall be subject to forfeiture of his license and the privilege to hunt, fish, or trap within this state or to use state lands, as defined in 77-1-101, for recreational purposes for a period of not less than 24 months from the date of conviction.

(2) (a) A person convicted of unlawfully taking, killing, possessing, transporting, or wasting of a bighorn sheep, moose, wild bison, caribou, mountain goat, or grizzly bear or any part of these animals shall be fined not less than $500 or more than $1,000, imprisoned in the county jail for not more than 6 months, or both. In addition, that person shall forfeit any current hunting, fishing, recreational use, or trapping license issued by this state and the privilege to hunt, fish, or trap in this state for not less than 30 months from the date of conviction.

(b) A person convicted of unlawfully taking, killing, possessing, or transporting a deer, antelope, elk, mountain lion, or black bear or any part of these animals or wasting a deer, antelope, or elk shall be fined not less than $300 or more than $1,000, imprisoned in the county jail for not more than 6 months, or both. In addition, that person shall forfeit any current hunting, fishing, or trapping license issued by this state and the privilege to hunt, fish, or trap in this state for not less than 24 months from the date of conviction.

(c) A person convicted of unlawfully attempting to trap, take, shoot, or kill a game animal shall be fined not less than $200 or more than $600, imprisoned in the county jail for not more than 60 days, or both.

(d) A person convicted of unlawfully taking, killing, possessing, transporting, shipping, labeling, packaging, or wasting or unlawfully attempting to take, kill, or possess any game bird, wild turkey, or fish or any part of any such bird or fish or of failure to tag a game animal or game bird as prescribed by law shall be fined not less than $50 or more than $200 or imprisoned in the county jail for not more than 30 days, or both.

(e) A person convicted of purposely or knowingly taking, killing, possessing, transporting, shipping, labeling, or packaging a fur-bearing animal or pelt of a fur-bearing animal in violation of any provision of this title shall be fined not less than $50 or more than $1,000 or imprisoned in the county jail for not more than 6 months, or both. In addition, that person shall forfeit any current license and the privilege to hunt, fish, or trap for not less than 24 months from the date of conviction and any pelts possessed unlawfully must be confiscated.

(f) A person convicted of hunting, fishing, or trapping while his license is forfeited or his privilege denied shall be imprisoned in the county jail for not less than 5 days or more than

6 months. In addition, that person may be fined not less than $500 or more than $1,000.

(3) A person convicted or who has forfeited bond or bail under subsection (2) and who has been ordered to pay restitution under the provisions of 87-1-111 may not apply for any special license under Title 87, chapter 2, part 7, or enter any drawing for a special license or permit for a period of 5 years following the date of conviction or restoration of license privileges, whichever is later.

(4) Notwithstanding the provision of subsection (1), the penalties provided by this section shall be in addition to any penalties provided in Title 37, chapter 47, and Title 87, chapter 4, part 2."

Section 8. Section 87-1-502, MCA, is amended to read:

"87-1-502. Qualifications, powers, and duties. (1) Wardens shall be qualified by their experience, training, and skill in protection, conservation, and propagation of wildlife, game, fur-bearing animals, fish, and game birds and interested in this work. They shall devote all of their time for which they are appointed to their official duties.

(2) They shall enforce the laws of this state and the rules of the department with reference to the protection, preservation, and propagation of game and fur-bearing animals, fish, and game birds.

(3) They shall see that persons who hunt, fish, or take game or fur-bearing animals, game birds, or fish and that those persons who make recreational use of state lands, as defined in 77-1-101, for hunting and fishing, have the necessary licenses.

(4) They shall assist in the protection, conservation, and propagation of fish, game, fur-bearing animals, and game and nongame birds and assist in the planting, distributing, feeding, and care of fish, game, fur-bearing animals, and game and nongame birds. They shall, when ordered by the department, assist in the destruction of predatory animals, birds, and rodents. They shall perform all other duties prescribed by the department and make a monthly report to the department correctly informing the department of their activities on each day of the preceding month with regard to the enforcement of the fish and game laws, showing where their duties called them and what they did. The reports shall contain any pertinent recommendations the wardens may see fit to make.

(5) A warden may not compromise or settle violations of fish and game laws out of court.

(6) A warden has the authority to inspect any and all fish, game and nongame birds, waterfowl, game animals, and fur-bearing animals at reasonable times and at any location other than a residence or dwelling. Upon request therefor, all persons having in their possession any fish, game and nongame birds, waterfowl, game animals, and fur-bearing animals shall exhibit the same and all thereof to the warden for such inspection."

Section 9. Section 87-1-504, MCA, is amended to read:

"87-1-504. Protection of private property -- duty of wardens ~~as ex officio firewardens~~. (1) It shall be the duty of wardens (state conservation officers) to enforce the provisions of 45-6-101, 45-6-203, ~~and~~ 75-10-212(2), [section 11], [section 15], and rules adopted under [section 13] on private and state lands being used for the recreational purposes of hunting and fishing and to act as ex officio firewardens as provided by 77-5-104.

(2) As used in this section, "recreational purposes" means recreational purposes as defined in 70-16-301."

Section 10. Section 87-1-601, MCA, is amended to read:

"87-1-601. Use of fish and game money. (1) ~~All~~ Except as provided in subsection (6), all money collected or received from the sale of hunting and fishing licenses or permits, from the sale of seized game or hides, or from damages collected for violations of the fish and game laws of this state, from appropriations, or received by the department from any other state source shall be turned over to the state treasurer and placed by him in the state special revenue fund to the credit of the department. Any money received from federal sources shall be deposited in the federal special revenue fund to the credit of the department.

(2) That money shall be exclusively set apart and made available for the payment of all salaries, per diem, fees, expenses, and expenditures authorized to be made by the department under the terms of this title. That money shall be spent for those purposes by the department, subject to appropriation by the legislature.

(3) Any reference to the fish and game fund in this code means fish and game money in the state special revenue fund and the federal special revenue fund.

(4) ~~All~~ Except as provided in subsection (6), all money collected or received from fines and forfeited bonds, except money collected or received by a justice's court, relating to violations of state fish and game laws under Title 87 shall be deposited by the state treasurer and credited to the department ~~of fish, wildlife, and parks~~ in a state special revenue fund account for this purpose. Out of any fine imposed by a court for the violation of the fish and game laws, the costs of prosecution shall be paid to the county where the trial was held in any case where the fine is not imposed in addition to the costs of prosecution.

(5) Money received by the department from the sale of surplus real property; exploration or development of oil, gas, or mineral deposits from lands acquired by the department except royalties or other compensation based on production; and from leases of interests in department real property not contemplated at the time of acquisition shall be deposited in an account within the nonexpendable trust fund of the state treasury. The interest derived therefrom, but not the principal, may be used only for the purpose of operation, development, and maintenance of real property of the department, and only upon appropriation by the legislature. If the use of money as set forth herein would result in violation of applicable federal laws or state statutes specifically naming the department or money received by the department, then

the use of this money must be limited in the manner, method, and amount to those uses that do not result in such violation.

(6) Money collected or received from fines or forfeited bonds for the violation of [section 11], [section 15], or rules adopted under [section 13] must be deposited as follows:

(a) 50% in an account for use by the department for the enforcement of [section 11], [section 15], and rules adopted under [section 13]; and

(b) 50% in the state lands recreational use account established by [section 16] for use by the department of state lands in the management of state lands."

NEW SECTION. Section 11. Recreational use license required to use state lands for general recreational purposes -- penalty. (1) A person 12 years of age or older shall obtain an annual recreational use license pursuant to [section 12] to use state lands, as defined in 77-1-101, for general recreational purposes.

(2) A person shall, upon the request of a peace officer or fish and game warden, present for inspection his recreational use license.

(3) A violator of subsection (1) or (2) is guilty of a misdemeanor and shall be fined not less than $50 or more than $500, imprisoned in the county jail for not more than 6 months, or both.

NEW SECTION. Section 12. Recreational use license -- fee. (1) The fee for a recreational use license is $5. The fee is based upon:

(a) a $3 charge as the value of 1 year of recreational use of state lands; and

(b) a $2 surcharge for the administrative costs of providing recreational access to state lands and the maintenance of a state lands recreational use account pursuant to [section 16].

(2) Money received by the department from the sale of recreational use licenses must be credited as follows:

(a) proceeds collected under subsection (1)(a) must be apportioned on a pro rata basis to the land trusts, in proportion to the respective trust's percentage contribution to the total acreage of all state land trusts; and

(b) proceeds collected under the surcharge of subsection (1)(b), less 50 cents for each license to be returned as a commission to license dealers, must be deposited in the state lands recreational use account established by [section 16] for use by the department in the management of state lands open to general recreational use.

(3) The department may contract with the department of fish, wildlife, and parks for the distribution and sale of recreational use licenses through the license agents appointed by and the administrative offices of the department of fish, wildlife, and parks and in accordance with the provisions of Title 87, chapter 2, part 9.

NEW SECTION. Section 13. Rules for recreational use of state lands -- penalty. (1) The board shall adopt rules authorizing and governing the recreational use of state lands allowed under 77-1-203. The board shall use local offices of the department to administer this program whenever practical.

(2) Rules adopted under this section must address the circumstances under which the board may close legally accessible state lands to recreational use. Such action by the board may be taken upon its own initiative or upon petition by an individual, organization, corporation, or governmental agency. Closures may be of an emergency, seasonal, temporary, or permanent nature. State lands may be closed by the board only after public notice and opportunity for public hearing in the area of the proposed closure, except when the department is acting under rules adopted by the board for an emergency closure. Closed lands must be posted by the lessee at customary access points, with signs provided or authorized by the department.

(3) Closure rules adopted pursuant to subsection (2) may categorically close state lands whose use or status is incompatible with recreational use. Categorical or blanket closures may be imposed on state lands due to:

(a) cabinsite and homesite leases and licenses;

(b) the seasonal presence of growing crops; and

(c) active military, commercial, or mineral leases.

(4) The board shall adopt rules that provide an opportunity for any individual, organization, or governmental agency to petition the board for purposes of excluding a specified portion of state land from a categorical closure that has been imposed under subsection (3).

(5) Under rules adopted by the board, state lands may be closed on a case-by-case basis for certain reasons, including but not limited to:

(a) damage attributable to recreational use that diminishes the income-generating potential of the state lands;

(b) damage to surface improvements of the lessee;

(c) the presence of threatened, endangered, or sensitive species or plant communities;

(d) the presence of unique or special natural or cultural features;

(e) wildlife protection;

(f) noxious weed control; or

(g) the presence of buildings, structures, and facilities.

(6) Rules adopted under this section may impose restrictions upon general recreational activities, including the discharge of weapons, camping, open fires, vehicle use, and any use that will interfere with the presence of livestock. The board may also by rule restrict access on state lands in accordance with a block management program administered by the department of fish, wildlife, and parks. Motorized vehicle use by recreationists on state lands is restricted to federal, state, and dedicated county roads and to those roads designated by the department to be open to motorized vehicle use.

(7) The board shall adopt rules providing for the issuance of a recreational special use license. Commercial or concentrated recreational use, as defined in 77-1-101, is prohibited on state lands unless it occurs under the provisions of a recreational special use license. The board may also adopt rules requiring a recreational special use license for recreational use that is not commercial, concentrated, or within the definition of general recreational use.

(8) For a violation of rules adopted by the board pursuant to this section, the department may assess a civil penalty of up to $1,000 for each day of violation. The board shall adopt rules providing for notice and opportunity for hearing in accordance with Title 2, chapter 4, part 6. Civil penalties collected under this subsection must be deposited as provided in 87-1-601(6).

NEW SECTION. Section 14. Liability of state and lessee. (1) The provisions of 70-16-302 that limit the liability of a landowner or his tenant for the recreational use of property apply to the state and any lessee of state lands used for general recreational purposes.

(2) The lessee is not responsible for the suppression of or for damages resulting from a fire on his leased land caused by a general recreational user, except that a lessee who observes a fire caused by a general recreational user shall make reasonable efforts to suppress the fire or report it to the proper firefighting authority.

NEW SECTION. Section 15. Prior notification to lessee of recreational use -- trespass -- penalty. (1) If a lessee of state lands under [sections 11 through 18] desires to be notified prior to anyone entering upon his leasehold, the lessee shall post, at customary access points, signs provided or authorized by the department. The signs must set forth the lessee's or his agent's name, address, telephone number, and method of notification. The lessee or his agent shall make himself available to receive notice from recreational users or provide an alternative means for notice as prescribed by rule. When state land is posted, recreational users shall contact and identify themselves to the lessee or his agent for the purposes of minimizing impact upon the leasehold interest and learning the specific boundaries of adjacent unfenced private property.

(2) Each recreational user of state lands shall obtain permission of the lessee or his agent before entering the adjacent private property owned by the lessee. Entry to private property from adjacent state lands without permission of the landowner or his agent is an absolute liability offense. A violator of this subsection is guilty of a misdemeanor and shall be fined not less than $50 or more than $500, imprisoned in the county jail for not more than 6 months, or both.

(3) A person may be found guilty of the offense described in subsection (2) regardless of the absence of fencing or failure to post a notice in accordance with 45-6-201.

NEW SECTION. Section 16. State lands recreational use account. (1) There is a state lands recreational use account in the state special revenue fund provided for in 17-2-102.

(2) There must be deposited in the account:

(a) all revenue received from the recreational use license established by [section 12];

(b) all revenue received from the imposition of fines under [sections 11 and 15] and from civil penalties imposed pursuant to [section 13]; and

(c) money received by the department in the form of legislative appropriations, reimbursements, gifts, federal funds, or appropriations from any source intended to be used for the purposes of this account.

(3) Money deposited in the state lands recreational use account is statutorily appropriated, as provided in 17-7-502, and must be used by the department for the following purposes:

(a) compensation pursuant to [section 17] for damage to the improvements of leases that has been proved to be caused by recreational users;

(b) assistance in weed control management necessary as a result of recreational use of state lands;

(c) protection of the resource value of the trust assets; and

(d) administration and management for the implementation of recreational use of state lands.

NEW SECTION. Section 17. Compensation for damage to improvements, growing crops, or livestock. A lessee may apply to the department for reimbursement of documented costs of repair to or replacement of improvements, growing crops, or livestock damaged by recreational users of state lands. The application must include an affidavit by the applicant setting forth the nature of the loss, allegations and reasonable proof supporting the involvement of recreational users, and documentation of repair or replacement costs. Upon review of the application and supporting proof and upon additional investigation as required, the department shall either grant, modify, or deny the claim. The department, by reason of payment to the lessee for damage to improvements, is entitled to be subrogated to the rights of the lessee to recover the amount paid from the party causing the damage. Payments under this section must be made from the state lands recreational use account established by [section 16], and the liability of the department for damage payments is limited to the existing balance of the account. Claim applications are to be considered in the order they are received.

NEW SECTION. Section 18. Weed control management. (1) The department shall establish a weed control management program for the control of noxious weeds reasonably proved to be caused by the recreational use of state lands. The department may by rule establish a noxious weed management program that may include direct compensation for noxious weed control activities or participation in district and county weed control projects or department-initiated weed control activities.

(2) Funding for this program must come from the state lands recreational use account pursuant to [section 16].

Section 19. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-9-202; 2-17-105; 2-18-812; 10-3-203; 10-3-312; 10-3-314; 10-4-301; 13-37-304; 15-1-111; 15-25-123; 15-31-702; 15-36-112; 15-37-117; 15-65-121; 15-70-101; 16-1-404; 16-1-410; 16-1-411; 17-3-212; 17-5-404; 17-5-424; 17-5-804; 19-8-504; 19-9-702; 19-9-1007; 19-10-205; 19-10-305; 19-10-506; 19-11-512; 19-11-513; 19-11-606; 19-12-301; 19-13-604; 20-6-406; 20-8-111; 20-9-361; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-1016; 23-5-1027; 27-12-206; 37-51-501; 39-71-2504; 53-6-150; 53-24-206; 61-2-406; 61-5-121; 67-3-205; 75-1-1101; 75-5-1108; 75-11-313; 76-12-123; 80-2-103; 82-11-136; 82-11-161; 90-3-301; 90-4-215; 90-4-613; 90-6-331; 90-9-306; ~~and~~ section 13, House Bill No. 861, Laws of 1985; and [section 16].

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for such payments. (In subsection (3), pursuant to sec. 10, Ch. 664, L. 1987, the inclusion of 39-71-2504 terminates June 30, 1991.)"

NEW SECTION. Section 20. Codification instruction. [Sections 11 through 18] are intended to be codified as an integral part of Title 77, and the provisions of Title 77 apply to [sections 11 through 18].

NEW SECTION. Section 21. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

NEW SECTION. Section 22. Applicability. On passage and approval of [this act], the board of land commissioners shall commence proceedings to adopt rules to be effective March 1, 1992. The department of state lands and the department of fish, wildlife, and parks shall commence proceedings and arrangements necessary to establish a recreational use license to be effective March 1, 1992.

NEW SECTION. Section 23. Effective date. [This act] is effective March 1, 1992."

Representative Pavlovich moved to call for cloture. Motion carried.

Thereupon, amendment #1 passed as follows:

Ayes: Bachini, Barnett, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, J. DeBruycker, R. DeBruycker, Driscoll, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Whalen, Wyatt, Zook, Mr. Speaker.
Total 73

Noes: Bardanouve, Barnhart, Beck, Cohen, Daily, Darko, Davis, Dolezal, Dowell, Elliott, Forrester, Gilbert, J. Johnson, Kadas, Larson, Messmore, T. Nelson, Raney, J. Rice, Southworth, Stang, Wallin, Wanzenried.
Total 23

Excused: None.
Total 0

Absent or not voting: Boharski, Gervais, Lee, Strizich.
Total 4

Representative D. Brown moved HB 778, as amended, do pass.

Representative Bardanouve made a substitute motion HB 778, as amended, do not pass. Motion failed as follows:

Ayes: Bardanouve, Beck, Boharski, Cobb, Cohen, Cromley, Darko, Dolezal, Dowell, Elliott, Forrester, Gilbert, Hayne, J. Johnson, Kadas, Larson, Lee, McCaffree, Measure, T. Nelson, Raney, Ream, J. Rice, S. Rice, Russell, Southworth, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 31

Noes: Bachini, Barnett, Barnhart, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Daily, Davis, J. DeBruycker, R. DeBruycker, Driscoll, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson,

M. Hanson, Harrington, Hoffman, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Schye, Scott, Simpkins, Spring, Squires, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Zook.
Total 67

Excused: None.
Total 0

Absent or not voting: Stang, Strizich.
Total 2

Thereupon, HB 778, as amended, passed as follows:

Ayes: Bachini, Barnett, Barnhart, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Daily, Davis, J. DeBruycker, R. DeBruycker, Driscoll, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Ream, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Zook.
Total 70

Noes: Bardanouve, Beck, Boharski, Cobb, Cohen, Cromley, Darko, Dolezal, Dowell, Elliott, Forrester, Gilbert, Hayne, Kadas, Larson, Lee, McCaffree, Measure, T. Nelson, Quilici, Raney, J. Rice, S. Rice, Russell, Southworth, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 29

Excused: None.
Total 0

Absent or not voting: Strizich.
Total 1

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Swysgood moved the adoption of the committee report.

Representative Strizich made a substitute motion HB 155 be segregated from the Committee of the Whole report. Motion carried.

Representative S. Rice made a substitute motion HB 312 be segregated from the Committee of the Whole report. Motion failed.

Representative Elliott made a substitute motion HB 738 be segregated from the Committee of the Whole report. Motion carried.

Thereupon, the Committee of the Whole report was adopted as follows: (62-37)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/2/91
Correctly enrolled: HB 260, HB 284, HB 495, HB 535, HB 831, HJR 21, HJR 23.
Delivered to the Governor for his approval at 3:50 p.m., 4/2/91: HB 117, HB 142, HB 382, HB 581, HB 586, HB 615, HB 655, HB 724, HB 732, HB 742, HB 745, HB 962.
Delivered to the Secretary of State at 1:09 p.m., 4/2/91: HJR 3
Delivered to the Secretary of State at 3:22 p.m., 4/2/91: HB 407

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman): 4/2/91
SB 16, third reading copy, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 4/2/91
HJR 49, introduced bill, do pass. Report adopted.
SB 17, third reading copy, be amended as follows:

1. Page 104, line 7.
Following: line 6
Insert: "NEW SECTION. Section 57. Coordination instruction. If House Bill No. 580 is passed and approved and if it contains a section amending 20-9-366, then the amendments to 20-9-366 in [this act] are void."
Renumber: subsequent sections

2. Page 104, line 12.
Strike: "57"
Insert: "58"

And, as amended, be concurred in. Report adopted.

SB 82, third reading copy, be concurred in. Report adopted.

NATURAL RESOURCES (Raney, Chairman): 4/2/91
SB 195, third reading copy, be amended as follows:

1. Page 14, line 16.
Following: line 15
Insert: "NEW SECTION. Section 8. Coordination instruction. If House Bill No. 671 is passed and approved, then [sections 2 3, and 5 through 8 of this act] are void."

And, as amended, be concurred in. Report adopted.

SB 253, third reading copy, be concurred in. Report adopted.
SB 303, third reading copy, be concurred in. Report adopted.
SB 377, third reading copy, be concurred in. Report adopted.
SB 386, third reading copy, be concurred in. Report adopted.

SB 434, third reading copy, be amended as follows:

1. Title, line 6.
Following: "APPROPRIATIONS"
Insert: ", EXCEPT APPROPRIATIONS FOR GROUND WATER"

2. Title, line 9.
Following: "BASIN;"
Insert: "REQUIRING AN APPLICANT FOR A GROUND WATER PERMIT TO SUBMIT A REPORT REGARDING THE SOURCE OF THE GROUND WATER AND DEPARTMENT FINDINGS REGARDING THE SOURCE;"

3. Page 1, line 16.
Strike: "3"
Insert: "4"

4. Page 1, line 20.
Following: line 19
Insert: "(2) "Domestic use" means use of water common to family homes, including use for culinary purposes, washing, drinking water for humans and domestic pets, and irrigation of a lawn or garden of less than 1 acre, not to exceed a total of 3.5 acre-feet per year. The term includes municipal uses for expanded domestic use but does not include commercial or industrial use. (3) "Ground water" means any water that is beneath the land surface or beneath the bed of a stream, lake, reservoir, or other body of surface water and that is not a part of that surface water."
Renumber: subsequent subsection

5. Page 2, line 8.
Strike: "DECEMBER 31, 1994"
Insert: "June 30, 1995"

6. Page 2, line 9.
Following: "apply to"
Insert: ":
(a)"

7. Page 2, line 11.
Following: "~~use~~"
Insert: "or water for domestic use; and
(b) an application for a permit to appropriate water to conduct response actions or remedial actions pursuant to the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, or Title 75, chapter 10, part 7"

8. Page 2, line 21.
Strike: "SURFACE"
Following: "water"
Insert: ", except ground water,"

9. Page 2, line 24.
Following: line 23
Insert: "NEW SECTION. Section 3. Ground water permit applications -- report required. (1) During the period of basin closure provided in [section 2(1)], an applicant for a ground water permit in the Upper Clark Fork River basin shall submit a report prepared by a professional engineer or hydrologist verifying that the source of the ground water is not a part of or substantially or directly connected to surface water. If the applicant fails to submit the report required in this section, the application is considered defective and must be processed pursuant to 85-2-302.

(2) In addition to the criteria of 85-2-311, the department shall find, based on substantial credible evidence, that the source of the ground water is not a part of or substantially or directly connected to surface water."
Renumber: subsequent sections

10. Page 4, line 1.
Strike: "and"

11. Page 4, line 4.
Following: "basin"
Insert: "; and

(e) include the Blackfoot River, designated as subbasin 76F, and Rock Creek, designated as subbasin 76E, in any considerations made under subsections (2)(a) through (2) (d)"

12. Page 4, line 6.
Strike: "progress report"
Insert: "management plan"

13. Page 4, lines 9 and 12.
Strike: "3"
Insert: "4"

And, as amended, be concurred in. Report adopted.

SJR 16, third reading copy, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/2/91

HB 62, introduced by Stang
HB 338, introduced by Ream
HB 359, introduced by Harper
HB 500, introduced by Whalen
HB 556, introduced by Ream
HB 576, introduced by Harper
HB 711, introduced by Connelly
HB 757, introduced by Kadas
HB 833, introduced by Lee

House bill not concurred in and returned to the House: 3/27/91

HB 380, introduced by Daily

Senate bill passed and transmitted to the House for concurrence: 4/2/91

SB 416, introduced by Williams

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper April 2, 1991
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Harper:

Please be informed that I have signed House Bills 76, 333, 421 and 530 on April 2, 1991.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper April 2, 1991
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 864, "AN ACT TRANSFERRING THE STATE DISTRICT COURT FUNDING ADMINISTRATION FROM THE DEPARTMENT OF COMMERCE TO THE STATE TO BE ADMINISTERED BY THE SUPREME COURT ADMINISTRATOR; AND AMENDING SECTIONS 3-1-702, 3-5-604, 3-5-901, 3-5 -902, 3-5-903, 7-6-2352, 46-8-201, 46-15,104 AND 46-18-235, MCA."

This technical amendment will correct a legislative oversight necessary for a proper transfer of the state district court funding administration from the Department of Commerce to the Supreme Court Administrator.

SEVENTIETH LEGISLATIVE DAY

Helena, Montana
April 3, 1991

House Chambers
State Capitol

House convened at 12:00 noon. Mr. Speaker in the Chair. Invocation by Reverend Russell H. Voight. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the sixty-third legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/3/91
Correctly printed: HB 958, HJR 49.
Correctly engrossed: HB 74, HB 340, HB 518, HB 617, HB 677, HB 778, HB 795, HB 801, HB 822, HB 856, HB 894, HB 994, HB 996, HB 1002, HB 1004, HB 1007.
Correctly enrolled: HB 485, HB 545, HB 552, HB 573, HB 635, HB 974, HJR 17.
Signed by the Speaker at 10:20 a.m., 4/3/91: HB 260, HB 284, HB 495, HB 535, HB 831, HJR 21, HJR 23, SB 142, SB 190, SB 225, SB 293, SB 308.

NATURAL RESOURCES (Raney, Chairman): 4/2/91
SB 189, third reading copy, be amended as follows:

1. Title, line 10.
Following: "7-7-4402,"
Insert: "7-7-4426,"
Following: "7-13-215,"
Insert: "7-13-231,"

2. Title, line 11.
Following: "SECTIONS"
Insert: "7-13-211,"

3. Page 7, line 6.
page 8, line 4
Strike: "15"
Insert: "21"

4. Page 8, line 7.
Strike: "be insufficient"
Insert: "have no factual or legal basis"

5. Page 12.
Following: line 16
Insert: "(2) The commissioners may issue a revenue bond only if the sale of the bond has been approved in a general or special election by a majority of the registered voters in the jurisdictions to be directly served by the solid waste district."

Renumber: subsequent subsections

6. Page 16.
Following: line 13
Insert: "(2) A joint district may issue a revenue bond only if the sale of the bond has been approved in a general or special election by a majority of the registered voters in the jurisdictions to be directly served by the joint district."
Renumber: subsequent subsections

7. Page 16, line 15.
Strike: "without an election and"

8. Page 19.
Following: line 4
Insert: "Section 29. Section 7-7-4426, MCA, is amended to read:

"7-7-4426. Authorization for undertaking and issuance of bonds. (1) The acquisition, purchase, construction, reconstruction, improvement, betterment, or extension of any undertaking may be authorized under this part.

(2) Bonds may be authorized to be issued under this part by resolution or resolutions of the governing body of the municipality:

(a) without an election, except joint solid waste district and county solid waste bonds; or

(b) when authorized by a majority of the qualified electors voting upon such question at a special election, should the governing body in its sole discretion choose to submit the question to the electorate."

Section 30. Section 7-13-231, MCA, is amended to read:

"7-13-231. Authorization for charges for services. (1) To defray the cost of maintenance and operation of said refuse disposal district, the board shall establish a fee for service, with approval of the county commissioners, provided a public hearing has been held if written protest has been made ~~as provided in 7-13-211~~. An increase in fees may not be approved and implemented unless notice of such increase is given as provided in 7-13-208(1) and (2) and opportunity for protest is allowed as provided in 7-13-209 ~~and 7-13-211~~.

(2) This fee shall be assessed to all units in the district that are receiving a service, for the purpose of maintenance and operation of said district.""
Renumber: subsequent sections

9. Page 19, line 5.
Following: "Sections"
Insert: "7-13-211"

10. Page 19.
Following: line 21
Insert: "NEW SECTION. Section 34. Coordination instruction. If House Bill No. 296 is passed and approved and if it includes a section that

amends 7-5-2306, then [section 1 of this act], amending 7-5-2306, is void."
Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Cocchiarella in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 155 - Representative Strizich moved HB 155, second reading copy, be amended as follows (amendment #1):

1. Title, line 7.
Following: "MAKING THE"
Insert: "BASE"

2. Title, line 8.
Strike: "90 PERCENT OF A DISTRICT"

3. Title, line 9.
Strike: "JUDGE'S SALARY"
Insert: "NOT LESS THAN $44,800 AND NOT MORE THAN $56,000"

4. Title, lines 10 and 11.
Strike: "ELIMINATING THE ANNUAL COST-OF-LIVING INCREASE FOR A COUNTY ATTORNEY;"

5. Title, lines 13 and 14.
Strike: "7-4-2504," on line 13
Strike: "7-4-2505," on line 14

6. Page 4, lines 21 and 22.
Strike: "shall be" on line 21
Strike: "90% OF that established for district court judges in 3-5-211"
Insert: "and for each year thereafter must be established by the county governing body at not less than $44,800 and not more than $56,000"

7. Page 6.
Following: line 13
Insert: "(c) Beginning on July 1, 1991, and on July 1 of each succeeding year, each county attorney shall be entitled to an increase in salary calculated by adding to his annual salary on July 1, 1991, an increment of 100% of the last previous calendar year's consumer price index for all urban consumers, U.S. department of labor, bureau of labor statistics, or other index that the bureau of

business and economic research of the university of Montana may in the future recognize as the successor to that index. However, the county commissioners may, for all or the remainder of each fiscal year, in conjunction with setting salaries for other officers as provided in 7-4-2504(1), set the salary at the prior fiscal year level if that level is lower than the level required by this subsection (3)(c). The cost-of-living increment for the fiscal year beginning July 1, 1983, and for each subsequent fiscal year shall be added to all cost-of-living increments granted for previous years unless salaries were set for the fiscal year at the level of salaries received in the prior fiscal year. Unless restored pursuant to 7-4-2504(2), any cost-of-living increment that would have been received for such fiscal year, computed on the prior fiscal year, may not be added to previous increments."
Renumber: subsequent subsection

8. Page 7, line 20 through page 10, line 24.
Strike: sections 3 and 4 in their entirety
Renumber: subsequent sections

Amendment #1 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Bachini, Bergsagel, Clark, Hayne, Kasten, L. Nelson, Peck, Peterson, Phillips, Spring, Tunby.
Total 11

Excused: Bradley.
Total 1

Absent or not voting: McCarthy.
Total 1

Representative Strizich moved HB 155, as amended, do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen,

Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, Measure, Menahan, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Squires, Stickney, Strizich, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 66

Noes: Bachini, Bergsagel, Clark, Cody, R. DeBruycker, Ellis, Ellison, Feland, Forrester, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Kasten, Knox, Lee, McCulloch, Mercer, Messmore, L. Nelson, Peck, Peterson, Phillips, Raney, Scott, Simpkins, Spring, Stang, Steppler, Swysgood, Thoft, Tunby, Zook.
Total 34

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 738 - Representative Elliott moved HB 738 do pass. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Galvin, Gervais, Gould, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 59

Noes: Bardanouve, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cromley, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Pavlovich, Peck, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Zook.
Total 41

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 699 - Representative Ellison moved HB 699 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Benedict, Bergsagel, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Daily, Darko, Dolezal, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould,

Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 71

Noes: Bardanouve, Beck, Becker, Boharski, Brooke, Cohen, Connelly, Cromley, Davis, J. DeBruycker, R. DeBruycker, Dowell, Driscoll, Galvin, S. J. Hansen, J. Johnson, Kadas, Lee, Measure, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, S. Rice, Scott, Southworth, Wyatt.
Total 28

Excused: None.
Total 0

Absent or not voting: Strizich.
Total 1

HB 832 - Representative Ellison moved HB 832 do pass. Motion carried as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, O'Keefe, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 88

Noes: Bachini, Brooke, Cromley, Daily, J. DeBruycker, L. Nelson, Nisbet, Pavlovich, Peck, Wyatt.
Total 10

Excused: None.
Total 0

Absent or not voting: Bardanouve, Galvin.
Total 2

HB 889 - Representative O'Keefe moved HB 889 do pass.

Representative O'Keefe made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative O'Keefe moved HB 889, second reading copy, be amended as follows (amendment #1):

1. Title, lines 14 and 15.
Following: "PROCEDURES;"
Strike: the remainder of line 14 through "PERMITS;" on line 15

2. Title, line 18.
Strike: "82-4-354,"
Following: "82-4-355,"
Insert: "AND"

3. Title, line 19.
Strike: "AND 82-4-362,"

4. Pages 45 through 50.
Strike: section 19 in its entirety
Renumber: subsequent sections

5. Pages 53 through 56
Strike: section 22 in its entirety
Renumber: subsequent sections

6. Page 56, line 17.
Strike: "24"
Insert: "22"

7. Page 56, line 19.
Strike: "24"
Insert: "22"

8. Page 56, line 22.
Strike: "23"
Insert: "21"
Strike: "24"
Insert: "22"

9. Page 56, line 25.
Strike: "23"
Insert: "21"
Strike: "24"
Insert: "22"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch,

Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: Stickney.
Total 1

Excused: None.
Total 0

Absent or not voting: Phillips.
Total 1

Thereupon, HB 889, as amended, failed as follows:

Ayes: Bardanouve, Barnhart, Becker, Brooke, Cocchiarella, Cohen, Connelly, Dolezal, Dowell, Driscoll, Elliott, Gervais, S. J. Hansen, J. Johnson, Kadas, Kilpatrick, Kimberley, McCaffree, McCulloch, Measure, L. Nelson, O'Keefe, Peck, Raney, Ream, Russell, Schye, Scott, Southworth, Stickney, Toole, Whalen, Wyatt, Mr. Speaker.
Total 34

Noes: Bachini, Barnett, Beck, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cody, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Larson, Madison, McCarthy, Menahan, Mercer, Messmore, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, J. Rice, S. Rice, Simpkins, Spring, Squires, Stang, Steppler, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Zook.
Total 64

Excused: None.
Total 0

Absent or not voting: Daily, Lee.
Total 2

HB 956 - Representative O'Keefe moved HB 956 do pass. Motion failed as follows:

Ayes: Bardanouve, Barnhart, Becker, Cocchiarella, Cohen, Connelly, Dolezal, Dowell, Elliott, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kimberley, McCaffree, Measure, O'Keefe, Peck, Raney, Ream, Russell, Schye, Southworth, Stickney, Toole, Whalen, Mr. Speaker.
Total 28

Noes: Bachini, Barnett, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cody, Cromley, Darko, Davis, J.

DeBruycker, R. DeBruycker, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kilpatrick, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, J. Rice, S. Rice, Scott, Simpkins, Spring, Squires, Stang, Steppler, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Wyatt, Zook.
Total 71

Excused: None.
Total 0

Absent or not voting: Daily.
Total 1

HB 976 - Representative Swysgood moved HB 976 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Peterson, Phillips, Quilici, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Cohen, Dowell, S. J. Hansen, Measure, O'Keefe, Peck, Raney, Southworth, Wanzenried.
Total 9

Excused: None.
Total 0

Absent or not voting: D. Brown, Cocchiarella, Driscoll, Galvin, Pavlovich, S. Rice.
Total 6

HB 452 - Representative Larson moved HB 452 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore,

L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Cody, S. J. Hansen, Nisbet, Peck, Spring.
Total 5

Excused: None.
Total 0

Absent or not voting: Connelly.
Total 1

HB 701 - Representative Driscoll moved HB 701 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Bardanouve, Connelly, Elliott, S. J. Hansen, Kadas, Nisbet, Peck, Spring.
Total 8

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 753 - Representative Harrington moved HB 753 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson,

Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Cody, R. DeBruycker, Elliott, S. J. Hansen, Measure, Peck, Spring, Stang, Wallin.
Total 9

Excused: None.
Total 0

Absent or not voting: Connelly.
Total 1

HB 787 - Representative Quilici moved HB 787 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: Cobb, R. DeBruycker, Elliott, S. J. Hansen, Peck, Raney, Simpkins.
Total 7

Excused: None.
Total 0

Absent or not voting: D. Brown, Clark, J. DeBruycker, Driscoll, R. Johnson, Kadas, Lee, S. Rice, Toole, Whalen.
Total 10

HB 793 - Representative M. Hanson moved HB 793 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch,

Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Lee.
Total 1

HB 868 - Representative Steppler moved HB 868 do pass.

Representative McCaffree made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative McCaffree moved HB 868, second reading copy, be amended as follows (amendment #1):

1. Page 4, line 8.
Following: "revenue"
Insert: ", excluding any protested coal gross proceeds tax revenues,"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Elliott, S. Rice, Whalen.
Total 3

Thereupon, HB 868, as amended, passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Grady, Hoffman, McCaffree, Peck, Phillips, Raney, Southworth, Thoft.
Total 8

Excused: None.
Total 0

Absent or not voting: Grinde, Mercer.
Total 2

Representative Ream in the Chair at this time.

HB 869 - Representative Simpkins moved HB 869 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Beck, Cohen, J. DeBruycker, R. DeBruycker, Driscoll, Measure, Menahan, Peck, Raney, Schye.
Total 10

Excused: None.
Total 0

Absent or not voting: Cromley, Kadas.
Total 2

HB 914 - Representative S. Rice moved HB 914 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Bergsagel, Cobb, Cohen, R. DeBruycker, Elliott, S. J. Hansen, Measure, Peck, Raney, Simpkins, Wanzenried.
Total 11

Excused: None.
Total 0

Absent or not voting: Cromley, Whalen.
Total 2

HB 970 - Representative Cocchiarella moved HB 970 do pass.

Representative Cocchiarella made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Cocchiarella moved HB 970, second reading copy, be amended as follows (amendment #1):

1. Title, lines 22 through 24.
Strike: "APPLYING THE PROPERTY TAX BENEFIT TO ALL MILLS LEVIED AGAINST THE QUALIFYING PROPERTY;"

2. Title, page 2, line 2.
Strike: "15-24-1402,"

3. Page 7, line 3 through page 9, line 6.
Strike: section 3 in its entirety
Renumber: subsequent sections

Amendment #3 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J.

Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Ellison, Simpkins, Stang.
Total 3

Excused: None.
Total 0

Absent or not voting: Cromley, S. Rice, Whalen.
Total 3

Representative Thomas moved HB 970, second reading copy, be further amended as follows (amendment #2):

1. Page 5, line 14.
Strike: "$250,000"
Insert: "$50,000"

2. Page 6, line 19.
Strike: "$500,000"
Insert: "$125,000"

Amendment #2 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, J. DeBruycker, R. DeBruycker, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, J. Rice, S. Rice, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: Brooke, Cohen, Davis, Dolezal, Dowell, S. J. Hansen, Harrington, J. Johnson, Measure, Peck, Raney, Ream, Russell, Schye, Wanzenried.
Total 15

Excused: None.
Total 0

Absent or not voting: Darko, Lee, Whalen.
Total 3

Thereupon, HB 970, as amended, passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Cobb, Elliott, S. J. Hansen, Peck, Raney, Spring.
Total 6

Excused: None.
Total 0

Absent or not voting: Gervais, Hayne, Lee, Strizich.
Total 4

Representative Cocchiarella resumed the Chair at this time.

HB 693 - Representative Thomas moved HB 693 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 82

Noes: Bardanouve, Cohen, Cromley, Darko, Davis, S. J. Hansen, Kadas, Kilpatrick, Kimberley, Measure, Nisbet, Peck, Raney, Ream, Southworth, Strizich, Mr. Speaker.
Total 17

Excused: None.
Total 0

Absent or not voting: Elliott.
Total 1

HB 790 - Representative Messmore moved HB 790 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 904 - Representative Kasten moved HB 904 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: S. Rice, Wyatt.
Total 2

HB 949 - Representative Tunby moved HB 949 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Cromley, Elliott, S. J. Hansen, Peck.
Total 4

Excused: None.
Total 0

Absent or not voting: S. Rice.
Total 1

HB 993 - Representative Zook moved HB 993 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: Driscoll, Squires.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 93 - Representative Cobb moved HB 93 do pass.

Representative Pavlovich moved to call for cloture. Motion carried.

Thereupon, HB 93 passed as follows:

Ayes: Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cromley, Darko, J. DeBruycker, R. DeBruycker, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCulloch, Mercer, L. Nelson, T. Nelson, Peterson, Phillips, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook.
Total 69

Noes: Bachini, Bardanouve, Barnhart, Bradley, Brooke, Cody, Cohen, Connelly, Daily, Davis, Feland, Galvin, S. J. Hansen, Harrington, Larson, McCarthy, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Ream, Squires, Stang, Steppler, Wyatt, Mr. Speaker.
Total 30

Voted Absentee: Elliott, Aye.

Excused: None.
Total 0

Absent or not voting: Dolezal.
Total 1

HB 550 - Representative Grady moved HB 550 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Connelly, Cromley, Daily, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Fagg, Forrester, Foster, Grady, S. J. Hansen, Hoffman, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCulloch, Measure, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Spring, Squires, Stickney, Strizich, Toole, Tunby, Wallin, Whalen, Wyatt, Mr. Speaker.
Total 53

Noes: Bachini, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, Cobb, Cody, Cohen, Davis, Driscoll, Ellis, Ellison, Feland, Galvin, Gervais, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, Kasten, Keller, Knox, Lee, McCaffree, McCarthy, Menahan, Mercer, T. Nelson, Peck, Peterson, Phillips, Scott, Simpkins, Stang, Steppler, Swysgood, Thoft, Thomas, Wanzenried, Zook.
Total 47

Voted Absentee: Elliott, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 579 - Representative Driscoll moved HB 579 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 90

Noes: Bachini, Benedict, Bergsagel, Dowell, Fagg, Feland, Phillips, Swysgood, Thoft, Wyatt.
Total 10

Voted Absentee: Elliott, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Cocchiarella moved the adoption of the committee report.

Representative Bardanouve made a substitute motion HB 93 be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion carried. (71-27)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/3/91
Correctly engrossed: HB 354.
Correctly enrolled: HB 116, HB 173, HB 175, HB 383, HB 390, HB 571, HB 639, HB 729, HB 749, HB 765, HB 952, HJR 8, HJR 30, HJR 31
Examined by the sponsor and found to be correct:
HB 116 - Cody
HB 173 - Pavlovich
HB 175 - D. Brown

HB 383 - Raney
HB 390 - Ream
HB 485 - Raney
HB 545 - T. Nelson
HB 552 - Cromley
HB 571 - J. Rice
HB 573 - J. Rice
HB 635 - Measure
HB 639 - Hansen
HB 729 - Russell
HB 749 - Ellison
HB 765 - Russell
HB 952 - Raney
HB 974 - Peck
HJR 8 - Kadas
HJR 17 - Larson
HJR 30 - Cocchiarella
HJR 31 - Raney

Signed by the Speaker at 2:45 p.m., 4/3/91: SB 157, SB 250, SB 323.
Signed by the Speaker at 3:30 p.m., 4/3/91: SB 132, SB 264, SB 392.
Signed by the Speaker at 4:20 p.m., 4/3/91: HB 485, HB 545, HB 552, HB 573, HB 635, HB 974, HJR 17.
Signed by the Speaker at 4:50 p.m., 4/3/91: HB 116, HB 173, HB 383, HB 571, HB 639, HB 729, HB 749, HJR 8, HJR 30.
Delivered to the Governor for his approval at 3:47 p.m., 4/3/91: HB 260, HB 284, HB 495, HB 535, HB 536, HB 831.
Delivered to the Governor for his approval at 5:01 p.m., 4/3/91: HB 485, HB 545, HB 552, HB 573, HB 635, HB 974.
Delivered to the Secretary of State at 4:01 p.m., 4/3/91: HJR 21, HJR 23

APPROPRIATIONS (Bardanouve, Chairman): 4/3/91
SB 123, third reading copy, be concurred in. Report adopted.

TAXATION (Harrington, Chairman): 4/3/91
HB 1012, introduced bill, be amended as follows:

1. Title, line 5.
Strike: "TO APPLY"
Insert: "APPLYING"

2. Title, line 9.
Following: "MEMBERS;"
Insert: "PROVIDING AN INCREASE IN THE APPROPRIATION TO THE DEPARTMENT OF REVENUE FOR FISCAL YEARS 1992 AND 1993 TO ADMINISTER COLLECTION OF CIGARETTE TAXES; PROVIDING A CIVIL PENALTY FOR THE POSSESSION OF UNSTAMPED CIGARETTES;"

3. Title, line 10.
Following: "AMENDING"
Strike: "SECTION"
Insert: "SECTIONS"

4. Title, line 11.
Following: "16-11-111,"
Insert: "16-11-113, 16-11-119, 16-11-131, AND 16-11-133,"
Following: "AN"
Insert: "IMMEDIATE"
Following: "DATE"
Insert: ", AN APPLICABILITY DATE,"

5. Page 2.
Following: line 23
Insert: "NEW SECTION. Section 2. Stamps affixed on all cigarettes -- exception. Except for cigarettes sold on military reservations, all cigarettes sold in Montana must have a Montana cigarette tax stamp affixed prior to sale."
Renumber: subsequent sections

6. Page 2, line 25.
Following: "tax"
Insert: "-- exemption for sales to Indians"

7. Page 3, line 20.
Following: "(4)"
Strike: "Wholesalers"
Insert: "Pursuant to the procedure provided in subsection (5), wholesalers"

8. Page 3, line 24 through page 4, line 3.
Following: "made." on line 24
Strike: remainder of line 24 through "retailer." page 4, line 3

9. Page 4.
Following: line 3
Insert: "(5) The distribution of tax-free cigarettes to Indians must be implemented through a system of preapproved, wholesaler shipments. Licensed Montana wholesalers shall contact the department for approval prior to shipment of the untaxed cigarettes. The department may authorize sales based on whether the quota for that particular service area has been met. If the sale is authorized as tax exempt, the wholesaler, upon providing proof of order and delivery to an exempt retailer, must be provided a credit or a refund. Once the allocation for the particular service area has been filled, the department shall immediately notify all wholesalers that all further sales on that reservation must be taxed and that claims for refund or credit will not be honored for the remainder of the month. Allocations are not transferable between months or between Indian reservations."
Renumber: subsequent subsections

10. Page 4, line 6.
Following: "any"
Strike: "reporting period"
Insert: "month"

11. Page 4, lines 8 and 9.

Following: "cigarettes"
Strike: remainder of line 8 through "rule," on line 9

12. Page 4, line 10.
Following: "made."
Insert: "The department shall determine the amount of refunds or credits for each Indian reservation at the beginning of each fiscal year, using population estimates and other data issued by the United States government."

13. Page 4, lines 11 through 16.
Strike: lines 11 through 16 in their entirety

14. Page 4, line 18.
Following: "department"
Insert: "pursuant to 16-11-132(2)"

15. Page 4, line 22.
Following: line 21
Insert: "NEW SECTION. Section 4. Civil penalty for possession of unstamped cigarettes. In lieu of the criminal penalties provided in Title 16, chapter 11, part 1, the department may assess a person possessing unstamped cigarettes a civil penalty of $250 for the first full or partial pack of unstamped cigarettes and $10 for each additional full or partial pack of unstamped cigarettes."
Renumber: subsequent sections

16. Page 6, line 6.
Following: line 5
Insert: "Section 6. Section 16-11-113, MCA, is amended to read:

"16-11-113. Tax insignia. (1) Within 72 hours after receipt by the distributor or dealer of any cigarettes, except as hereinafter provided, he shall cause to be securely affixed thereto the required insignia denoting the tax thereon. ~~A person specifically exempted under the provisions of 16-11-132(2) may not be considered to be acting unlawfully under this section.~~

(2) Said insignia shall be properly canceled prior to sale or removal for consumption, under such regulations as the department may prescribe.

(3) Each package shall have the required insignia to affix thereto in such a manner that the insignia will be destroyed when the package is opened.

(4) Wholesalers and retailers licensed under this part may buy, sell, or have in their possession only cigarettes which have the insignia provided for in this part on each package. The insignia provided for in this part shall be sold to and affixed by licensed wholesalers and licensed retailers only.

(5) Whenever any cigarettes are found in the place of business of any unlicensed wholesaler, retailer, or other person without the insignia affixed and canceled or not marked as having been received by the unlicensed wholesaler, retailer, or person within the preceding 72 hours, the presumption shall be that such cigarettes are kept therein in violation of the provisions of this part."

Section 7. Section 16-11-119, MCA, is amended to read:

"16-11-119. Disposition of taxes -- retirement of bonds. ~~All~~ (1) Except as provided in subsection (2), all moneys collected under the provisions of 16-11-111, less the expense of collecting all the taxes levied, imposed, and assessed by said section, shall be paid to the state treasurer and deposited as follows: 70.89% in the long-range building program fund in the debt service fund type and 29.11% in the long-range building program fund in the capital projects fund type.

(2) The following money, collected pursuant to 16-11-111, is appropriated to the department:

Fiscal year 1992	$ 64,272
Fiscal year 1993	56,872"

Section 8. Section 16-11-131, MCA, is amended to read:

"16-11-131. Transporting cigarettes without insignia a misdemeanor. It shall be unlawful for any person to transport into, receive, carry, or move from place to place within this state, except in the course of interstate commerce, any cigarettes which do not bear the insignia required by this part~~, except for a person specifically exempted in 16-11-132(2)~~. Any person violating the provisions of this section is guilty of a misdemeanor and shall be punished as hereinafter provided."

Section 9. Section 16-11-133, MCA, is amended to read:

"16-11-133. Sale and use of cigarettes without insignia unlawful. Every person who sells any package of cigarettes which does not bear the insignia required by this part and every person who uses or consumes a cigarette within this state, taken from a package which does not bear the required insignia, is guilty of a misdemeanor and shall be punished as hereinafter provided~~, except that a person specifically exempted under the provisions of 16-11-132(2) may not be considered to be acting unlawfully under this section~~.""

Renumber: subsequent sections

17. Page 6, line 7.
Strike: "[Section 1] is"
Insert: "[Sections 1, 2, and 4] are"

18. Page 6, line 10.
Strike: "[section 1]"
Insert: "[sections 1, 2, and 4]"

19. Page 6, line 10.
Following: "date"
Insert: "-- applicability"

20. Page 6, line 11.
Following: "effective"
Strike: "July 1, 1991"

Insert: "on passage and approval and applies to sales made by a wholesaler after June 30, 1991"

And, as amended, do pass. Report adopted.

MOTIONS

Representative Driscoll moved SB 82 be taken from second reading and rereferred to the Committee on Appropriations. Motion carried.

Representative Driscoll moved HB 93 be taken from second reading and rereferred to the Committee on Appropriations. Motion carried.

Representative Wyatt moved the House reconsider its action on HB 312 and overturn the adverse Committee of the Whole report the previous legislative day. Motion carried.

Representative Driscoll moved the House accede to the request of the Senate to appoint conference committees to meet with like committees from the Senate to confer on House amendments to SB 18, SB 58, SB 109, SB 171, SB 204, SB 249, SB 267, SB 327, SB 343 and SB 348. Motion carried.

Representative Driscoll moved the House accede to the request of the Senate to appoint a free conference committee to meet with a like committee from the Senate to confer on SB 77. Motion carried.

Representative Driscoll moved the House dissolve the conference committee on House amendments to SB 49 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on SB 49. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 30 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: Bergsagel, Connelly, R. DeBruycker, Elliott, Ellison, Feland, Gould, Grinde, H. S. Hanson, M. Hanson, Kasten, Knox, Lee, Simpkins, Swysgood, Thoft, Tunby, Wanzenried.
Total 18

Voted Absentee: Elliott, No.

Excused: None.
Total 0

Absent or not voting: Cody.
Total 1

HB 46 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 77

Noes: Bergsagel, Boharski, Clark, R. DeBruycker, Ellis, Ellison, Feland, Foster, Grinde, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, Simpkins, Swysgood, Thoft.
Total 22

Voted Absentee: Elliott, Aye.

Excused: None.
Total 0

Absent or not voting: O'Keefe.
Total 1

HB 196 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 67

Noes: Barnett, Bergsagel, Boharski, R. DeBruycker, Ellis, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, T. Nelson, Peterson, Phillips, J. Rice, Spring, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 31

Voted Absentee: Elliott, Aye.

Excused: None.
Total 0

Absent or not voting: Benedict, Clark.
Total 2

HB 285 failed as follows:

Ayes: Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, J. Johnson, Kilpatrick, Kimberley, Madison, McCaffree, McCarthy, McCulloch, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Whalen, Wyatt, Mr. Speaker.
Total 49

Noes: Bachini, Bardanouve, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Connelly, Cromley, R. DeBruycker, Driscoll, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Knox, Larson, Lee, Measure, Mercer, Messmore, T. Nelson, Peck, Peterson, Phillips, Raney, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook.
Total 51

Voted Absentee: Elliott, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 321 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth,

Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 76

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, R. DeBruycker, Ellis, Feland, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Keller, Knox, Lee, McCaffree, Messmore, Peterson, Phillips, Spring, Swysgood, Thoft.
Total 24

Voted Absentee: Elliott, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 781 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Bachini, Benedict, Boharski, Elliott, Feland, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Knox, Peck, Swysgood, Thoft.
Total 15

Voted Absentee: Elliott, No.

Excused: None.
Total 0

Absent or not voting: Ellis.
Total 1

HB 947 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Galvin, Gervais, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson,

Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: Benedict, Boharski, Cobb, Connelly, R. DeBruycker, Feland, Foster, Gilbert, Gould, Kasten, Lee, Messmore, Phillips, J. Rice, Swysgood, Thoft.
Total 16

Voted Absentee: Elliott, Aye.

Excused: None.
Total 0

Absent or not voting: S. Rice.
Total 1

HB 973 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 74

Noes: Benedict, Bergsagel, Boharski, Cobb, Connelly, R. DeBruycker, Elliott, Ellis, Feland, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Kasten, McCaffree, Messmore, Peterson, Phillips, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Wyatt.
Total 26

Voted Absentee: Elliott, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 995 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Forrester, Foster, Galvin,

Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Boharski, R. DeBruycker, Fagg, Feland, Grinde, R. Johnson, Lee, Phillips, Swysgood, Thoft, Wanzenried.
Total 11

Voted Absentee: Elliott, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 155 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, Measure, Menahan, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Squires, Stickney, Strizich, Swysgood, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 67

Noes: Bachini, Bergsagel, Clark, Cody, R. DeBruycker, Ellis, Ellison, Feland, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Kasten, Knox, Lee, McCulloch, Mercer, Messmore, L. Nelson, Peck, Peterson, Phillips, Raney, Scott, Simpkins, Spring, Stang, Steppler, Thoft, Thomas, Tunby, Zook.
Total 33

Voted Absentee: Elliott, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 738 passed as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 57

Noes: Bardanouve, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cromley, R. DeBruycker, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Zook.
Total 43

Voted Absentee: Elliott, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 699 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Benedict, Bergsagel, Bradley, D. Brown, J. Brown, Clark, Cobb, Cody, Cohen, Connelly, Darko, Dolezal, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook.
Total 72

Noes: Bardanouve, Beck, Becker, Boharski, Brooke, Cocchiarella, Cromley, Daily, Davis, J. DeBruycker, R. DeBruycker, Dowell, Driscoll, Gervais, S. J. Hansen, J. Johnson, Kadas, Larson, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, S. Rice, Scott, Southworth, Wyatt, Mr. Speaker.
Total 28

Voted Absentee: Elliott, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 832 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, O'Keefe, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 87

Noes: Bachini, Bergsagel, Cromley, Daily, J. DeBruycker, Driscoll, Galvin, L. Nelson, Nisbet, Pavlovich, Peck, Strizich, Wyatt.
Total 13

Voted Absentee: Elliott, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 976 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: S. J. Hansen, Measure, T. Nelson, Raney, Southworth.
Total 5

Voted Absentee: Elliott, Aye.

Excused: None.
Total 0

Absent or not voting: Scott.
Total 1

HB 452 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Cobb, S. J. Hansen, Nisbet, Peck.
Total 4

Voted Absentee: Elliott, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 701 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Brooke, Connelly, Elliott, Feland, S. J. Hansen, Kadas, Nisbet, Peck.
Total 8

Voted Absentee: Elliott, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 753 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Bardanouve, Cody, R. DeBruycker, Elliott, S. J. Hansen, Measure, L. Nelson, Peck, Spring, Stang, Wallin.
Total 11

Voted Absentee: Elliott, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 787 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Cobb, Cody, J. DeBruycker, R. DeBruycker, Elliott, S. J. Hansen, Measure, L. Nelson, Peck, Raney, Simpkins, Stang, Toole.
Total 13

Voted Absentee: Elliott, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 793 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Elliott, Aye.

Excused: None.
Total 0

Absent or not voting: Driscoll.
Total 1

HB 868 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Feland, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Steppler, Stickney,

Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Forrester, Gervais, Hoffman, McCaffree, Measure, Peck, Raney, Southworth, Stang.
Total 9

Voted Absentee: Elliott, Aye.

Excused: None.
Total 0

Absent or not voting: Ellis, Ellison.
Total 2

HB 869 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Davis, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt.
Total 83

Noes: Beck, Cohen, Daily, Darko, J. DeBruycker, R. DeBruycker, Driscoll, Forrester, Kadas, Measure, Menahan, Peck, Raney, Schye, Zook, Mr. Speaker.
Total 16

Voted Absentee: Elliott, Aye.

Excused: None.
Total 0

Absent or not voting: Brooke.
Total 1

HB 914 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch,

Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Bergsagel, Cobb, Cohen, R. DeBruycker, Elliott, S. J. Hansen, Measure, Peck, Raney, Simpkins, Thoft, Whalen.
Total 12

Voted Absentee: Elliott, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 970 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Cobb, R. DeBruycker, Elliott, S. J. Hansen, Peck, Raney, Spring.
Total 7

Voted Absentee: Elliott, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 693 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, J. DeBruycker, R. DeBruycker, Dolezal, Dowell,

Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 85

Noes: Bardanouve, Cohen, Cromley, Darko, Davis, S. J. Hansen, Kadas, Measure, Nisbet, Peck, Raney, Southworth, Squires, Mr. Speaker.
Total 14

Excused: Elliott.
Total 1

Absent or not voting: None.
Total 0

HB 790 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Voted Absentee: Elliott, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 904 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R.

DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: Bardanouve.
Total 1

Voted Absentee: Elliott, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 949 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Cromley, Driscoll, Elliott, S. J. Hansen, Peck.
Total 5

Voted Absentee: Elliott, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 993 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Driscoll, Gervais, Squires.
Total 3

Voted Absentee: Elliott, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 550 passed as follows:

Ayes: Bardanouve, Barnhart, Bradley, J. Brown, Clark, Cocchiarella, Connelly, Cromley, Daily, Darko, R. DeBruycker, Dolezal, Dowell, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Grady, S. J. Hansen, Harrington, Hoffman, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCulloch, Measure, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Spring, Squires, Stickney, Strizich, Toole, Tunby, Whalen, Wyatt, Zook, Mr. Speaker.
Total 54

Noes: Bachini, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, Cobb, Cody, Cohen, Davis, J. DeBruycker, Driscoll, Ellis, Ellison, Feland, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, J. Johnson, Kasten, Keller, Knox, Lee, McCaffree, McCarthy, Menahan, Mercer, T. Nelson, Peck, Peterson, Phillips, Scott, Simpkins, Stang, Steppler, Swysgood, Thoft, Thomas, Wallin, Wanzenried.
Total 46

Voted Absentee: Elliott, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 579 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Bachini, Benedict, Bergsagel, Fagg, Feland, Gould.
Total 6

Voted Absentee: Elliott, Aye.

Excused: None.
Total 0

Absent or not voting: Darko, Schye.
Total 2

MOTIONS

Representative Schye moved the House reconsider its action on HB 285 taken on third reading this legislative day. Motion carried.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 285 passed as follows:

Ayes: Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, J. Johnson, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 55

Noes: Bachini, Bardanouve, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cromley, R. DeBruycker, Driscoll, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Peck, Peterson, Phillips, Raney, J. Rice, Simpkins, Spring, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Zook.
Total 45

Voted Absentee: Elliott, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Representative Kimberley moved the rules be suspended to allow him to be recorded as voting yes on HB 781, third reading. Motion carried.

Representative Simpkins moved he be allowed to change his vote on HB 976, third reading, from no to yes. Motion carried.

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 18:

Representative Raney, Chairman
Representative O'Keefe
Representative R. DeBruycker

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 58:

Representative Strizich, Chairman
Representative Russell
Representative Messmore

Mr. Speaker appointed the following members to the conference committee on House amendments SB 109:

Representative Cody, Chairman
Representative Steppler
Representative Foster

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 171:

Representative Schye, Chairman
Representative Daily
Representative Grady

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 204:

Representative Strizich, Chairman
Representative Measure
Representative R. Johnson

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 249:

Representative Strizich, Chairman
Representative Toole
Representative Lee

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 267:

Representative Squires, Chairman
Representative Whalen
Representative Hayne

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 327:

Representative Wyatt, Chairman
Representative Schye
Representative Keller

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 343:

Representative Whalen, Chairman
Representative Cocchiarella
Representative H.S. Hanson

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 348:

Representative Squires, Chairman
Representative Stickney
Representative R. Johnson

Mr. Speaker appointed the following members to the free conference committee on House amendments to SB 77:

Representative Schye, Chairman
Representative L. Nelson
Representative Foster

Mr. Speaker appointed the following members to the free conference committee on SB 49:

Representative Driscoll, Chairman

Representative Cocchiarella
Representative Boharski

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 12:00 noon, Thursday, April 4, 1991. Motion carried.

House adjourned at 5:50 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

SEVENTY-FIRST LEGISLATIVE DAY

Helena, Montana — House Chambers
April 4, 1991 — State Capitol

House convened at 12:00 noon. Mr. Speaker in the Chair. Invocation by Representative Ellison. Pledge of Allegiance to the Flag.

Roll call. All members present except Gervais, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/4/91
Correctly printed: HB 1012.
Correctly engrossed: HB 155, HB 452, HB 550, HB 579, HB 693, HB 699, HB 701, HB 738, HB 753, HB 787, HB 790, HB 793, HB 832, HB 868, HB 869, HB 904, HB 914, HB 949, HB 970, HB 976, HB 993.
Correctly enrolled: HB 640, HB 641, HB 642, HB 700, HB 858, HB 926.
Delivered to the Governor for his approval at 9:10 a.m., 4/4/91: HB 116, HB 173, HB 383, HB 571, HB 639, HB 729, HB 749.
Delivered to the Secretary of State at 9:50 a.m., 4/4/91: HJR 17

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House: 4/3/91

HB 849, introduced by Bradley

Senate bills passed and transmitted to the House for concurrence: 4/3/91

SB 359, introduced by Nathe
SB 459, introduced by Van Valkenburg
SB 464, introduced by Gage
SB 468, introduced by Gage

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bills were introduced, read first time, and referred to committee:

SB 359, introduced by Nathe (by request of the Governor), referred to Committee on Taxation
SB 459, introduced by Van Valkenburg (by request of the Senate Committee on Taxation), referred to Committee on Taxation
SB 464, introduced by Gage (by request of the Senate Taxation Committee), referred to Committee on Taxation
SB 468, introduced by Gage (by request of the Senate Taxation Committee), referred to Committee on Taxation

Representative Driscoll moved the House recess until 1:30 p.m. Motion carried.

House recessed at 12:10 p.m.

House reconvened at 1:30 p.m. Mr. Speaker in the Chair.

MOTIONS

Representative Driscoll moved HB 1004 be taken from third reading and rereferred to the Committee on Taxation. Motion failed.

Representative Driscoll moved consideration of HB 1004 be passed for the day. Motion carried.

Representative Elliott moved the rules be suspended to permit placement and consideration of HB 1012 on second and third readings and transmitted to the Senate this legislative day. Motion carried.

Representative Lee moved he be allowed to change his vote on Representative Driscoll's motion to rerefer HB 1004 from no to yes. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 74 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 55

Noes: Bachini, Barnett, Becker, Benedict, Bergsagel, Boharski, Cobb, Cody, R. DeBruycker, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Measure, Mercer, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Raney, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Zook.
Total 45

Voted Absentee: Gervais, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 340 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley,

Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Steppler, Stickney, Strizich, Toole, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 68

Noes: Bachini, Barnett, Boharski, Clark, Cobb, R. DeBruycker, Elliott, Feland, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Peck, Peterson, Phillips, Simpkins, Spring, Stang, Swysgood, Thoft, Thomas, Tunby, Wanzenried.
Total 31

Voted Absentee: Gervais, Aye.

Excused: None.
Total 0

Absent or not voting: McCarthy.
Total 1

HB 354 passed as follows:

Ayes: Barnhart, Beck, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Ellis, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, Hayne, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 56

Noes: Bachini, Bardanouve, Barnett, Becker, Benedict, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hoffman, Kadas, Kasten, Knox, Lee, Measure, Mercer, Messmore, T. Nelson, Peck, Peterson, Phillips, J. Rice, Simpkins, Spring, Stang, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 44

Voted Absentee: Gervais, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 518 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: D. Brown, Davis, R. DeBruycker, Driscoll, S. J. Hansen, Harrington, McCaffree, McCarthy.
Total 8

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 617 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 59

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cromley, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 41

Voted Absentee: Gervais, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 677 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Daily, Darko, Davis, Dolezal, Dowell, Ellis, Fagg, Forrester, Foster, Gould, Grady, M. Hanson, Harrington, Hoffman, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 65

Noes: Bardanouve, Becker, Bergsagel, Cobb, Cody, Connelly, Cromley, J. DeBruycker, R. DeBruycker, Driscoll, Elliott, Ellison, Feland, Galvin, Gilbert, Grinde, H. S. Hanson, Hayne, J. Johnson, Kasten, Lee, Measure, Mercer, Messmore, L. Nelson, Peterson, Phillips, Raney, Southworth, Stang, Steppler, Swysgood, Thoft.
Total 33

Excused: Gervais.
Total 1

Absent or not voting: S. J. Hansen.
Total 1

HB 778 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Connelly, Daily, Davis, J. DeBruycker, R. DeBruycker, Driscoll, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Madison, McCarthy, McCulloch, Menahan, Mercer, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Ream, Schye, Scott, Simpkins, Spring, Squires, Steppler, Stickney, Swysgood, Thoft, Toole, Tunby, Wallin, Whalen, Zook.
Total 65

Noes: Bardanouve, Benedict, Boharski, Clark, Cobb, Cohen, Cromley, Darko, Dolezal, Dowell, Elliott, Forrester, Gilbert, Hayne, Kadas, Larson, McCaffree, Measure, Messmore, T. Nelson, Peterson, Quilici, Raney, J. Rice, S. Rice, Russell, Southworth, Stang, Thomas, Wanzenried, Wyatt, Mr. Speaker.
Total 32

Excused: Gervais.
Total 1

Absent or not voting: Lee, Strizich.
Total 2

HB 795 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Grady, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 58

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, Cohen, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 41

Voted Absentee: Gervais, Aye.

Excused: None.
Total 0

Absent or not voting: S. Rice.
Total 1

Representative Mercer rose on a point of order. He objected to the Speaker's decision that HB 795 passed third reading this date with a vote of 58-41 based upon House Rule H50-150 which states: "Questions requiring other than a majority vote. The following questions appropriate the principal of the coal trust fund (three-fourths of each house)."

The Speaker ruled that the bill could still proceed to the Senate and, when it was returned, another vote would be taken on third reading which would constitute the vote for final passage. He based his decision on House Rule H40-220(2), which states: "If the House accepts Senate amendments on legislation requiring more than a majority vote for final passage, the House, following approval of the Senate amendments on third reading, shall place the final form of the legislation on third reading to determine if the required vote is obtained.

Representative Mercer appealed the Speaker's ruling and requested a Rules meeting on the matter.

HB 801 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice,

Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 62

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Knox, Lee, Measure, Messmore, L. Nelson, T. Nelson, Peck, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 38

Voted Absentee: Gervais, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 822 passed as follows:

Ayes: Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Whalen, Wyatt, Mr. Speaker.
Total 54

Noes: Bachini, Bardanouve, Barnett, Benedict, Bergsagel, Boharski, Clark, Cody, Cromley, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Zook.
Total 45

Voted Absentee: Gervais, Aye.

Excused: None.
Total 0

Absent or not voting: Cobb.
Total 1

HB 856 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gilbert, Grady,

Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Barnett, Cobb, Connelly, R. DeBruycker, Ellis, Feland, Gould, Measure, T. Nelson, Steppler, Swysgood, Thoft.
Total 12

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 894 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, O'Keefe, Pavlovich, Peck, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 76

Noes: Bardanouve, Bergsagel, Boharski, Cobb, Cohen, R. DeBruycker, Elliott, Ellison, Feland, Gilbert, Grinde, Kadas, Kasten, Knox, McCaffree, T. Nelson, Nisbet, Peterson, Phillips, Raney, Simpkins, Spring, Steppler, Thoft.
Total 24

Voted Absentee: Gervais, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 994 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Galvin, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley,

Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, Nisbet, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 56

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, J. DeBruycker, R. DeBruycker, Ellis, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Larson, Lee, McCaffree, Measure, L. Nelson, T. Nelson, O'Keefe, Peck, Peterson, Phillips, Simpkins, Spring, Stang, Steppler, Swysgood, Thoft, Thomas, Wallin, Zook.
Total 43

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 996 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 60

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Davis, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 40

Voted Absentee: Gervais, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 1002 passed as follows:

Ayes: Bardanouve, Barnhart, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gould, Grady, M. Hanson, Harrington,

Hayne, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Spring, Squires, Stang, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 61

Noes: Bachini, Barnett, Beck, Becker, Bergsagel, Boharski, Cobb, Cody, Connelly, Feland, Gilbert, Grinde, S. J. Hansen, H. S. Hanson, Hoffman, R. Johnson, Kasten, Lee, McCaffree, Measure, Mercer, L. Nelson, Pavlovich, Peck, Peterson, Phillips, Schye, Scott, Simpkins, Southworth, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole.
Total 37

Excused: Gervais.
Total 1

Absent or not voting: Zook.
Total 1

HB 1007 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 55

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Larson, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 45

Voted Absentee: Gervais, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative J. Rice in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Driscoll announced there would be a Rules meeting upon recess.

Representative Driscoll moved the House recess until 2:45 p.m. Motion carried.

House recessed at 2:10 p.m.

House reconvened at 2:45 p.m. Representative J. Rice in the Chair.

Representative Driscoll announced the Speaker's ruling on HB 795 was upheld by the Rules Committee.

HB 312 - Representative Wyatt moved HB 312, second reading copy, be amended as follows (amendment #1):

1. Title, lines 4 through 6.
Following: "ACT" on line 4
Strike: remainder of line 4 through ";" on line 6

2. Title, lines 10 through 14.
Following: "~~FOR~~" on line 10
Strike: remainder of line 10 through "~~:~~" on line 14
Insert: "AUTHORIZE THE COUNTY COMMISSIONERS TO USE ALL OF THE LOCAL VEHICLE OPTION TAX FOR COUNTY PURPOSES;"

3. Title, lines 15 and 16.
Strike: "3-5-602, 3-5-604, 3-5-901, 3-5-902," on line 15
Following: "7-6-2427" on line 15
Strike: remainder of line 15 through "61-3-325," on line 16

4. Title, lines 17 and 18.
Strike: "61-3-509" on line 17
Insert: "61-3-537"
Following: ";" on line 17
Strike: remainder of line 17 through ";" on line 18

5. Page 1, line 22 through page 11, line 19.
Strike: sections 1 through 6 in their entirety
Renumber: subsequent sections

6. Page 12, line 8 through page 22, line 10.
Strike: sections 8 through 16 in their entirety
Insert: "Section 2. Section 61-3-537, MCA, is amended to read:

"61-3-537. Local option vehicle tax. (1) A county may impose a local vehicle tax on vehicles subject to a property tax under 61-3-504(2) at a rate of up to 0.5% of the value determined under 61-3-503, in addition to the tax imposed under 61-3-504(2).

(2) A local vehicle tax is payable at the same time and in the same manner as the tax imposed under 61-3-504(2). ~~and~~ The

local vehicle tax is distributed in the ~~same~~ manner~~, based on the registration address of the owner of the motor vehicle~~ determined by the governing body of the county.

(3) The governing body of a county may impose a local vehicle tax for a fiscal year by adopting a resolution before July 1 of the fiscal year, after conducting a public hearing on the proposed resolution. The resolution may provide for the distribution of the local vehicle tax.""

Renumber: subsequent sections

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Driscoll, Ellis, Forrester, Foster, Galvin, Harrington, Hayne, Hoffman, J. Johnson, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, Pavlovich, Peck, Phillips, Quilici, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 61

Noes: Barnett, Barnhart, Benedict, Bergsagel, Boharski, Clark, Cohen, R. DeBruycker, Dowell, Elliott, Ellison, Feland, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, R. Johnson, Kadas, Kasten, Keller, Knox, Lee, McCulloch, T. Nelson, O'Keefe, Peterson, Raney, J. Rice, Spring, Stang, Swysgood, Thoft, Thomas, Wanzenried.
Total 36

Excused: Gervais.
Total 1

Absent or not voting: Fagg, Grady.
Total 2

Representative Hoffman moved HB 312, as amended, do pass.

Representative Kadas made a substitute motion consideration of HB 312 be placed below HB 958 on the second reading board. Motion failed as follows: (39-56)

Representative Boharski moved the House reconsider its action on amendment #1 to HB 312 taken on second reading this legislative day. Motion failed as follows: (28-69)

Thereupon, HB 312, as amended, passed as follows:

Ayes: Bardanouve, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Driscoll, Forrester, Foster, Galvin, Gervais, Harrington, Hoffman, J. Johnson, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Ream, S. Rice, Russell, Schye, Scott, Simpkins,

Southworth, Spring, Squires, Stickney, Strizich, Toole, Tunby, Wallin, Whalen, Wyatt, Mr. Speaker.
Total 55

Noes: Bachini, Barnett, Barnhart, Bergsagel, Boharski, Clark, Cohen, R. DeBruycker, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kadas, Kasten, Keller, Knox, Lee, McCulloch, Measure, Mercer, L. Nelson, T. Nelson, Peck, Peterson, Raney, J. Rice, Stang, Steppler, Swysgood, Thoft, Thomas, Wanzenried, Zook.
Total 44

Voted Absentee: Gervais, Aye.

Excused: None.
Total 0

Absent or not voting: Benedict.
Total 1

HB 903 - Representative Cobb moved HB 903, second reading copy, be amended as follows (amendment #1):

1. Page 1, line 5.
Following: "ENTITLED: "AN ACT"
Strike: remainder of title
Insert: "APPROPRIATING FUNDS TO THE SUPREME COURT FOR COURT AUTOMATION."

2. Page 1, line 11.
Following: line 10
Strike: everything after the enacting clause
Insert: "NEW SECTION. Section 1. Appropriation. (1) Upon final determination of all general fund money in the department of social and rehabilitation services' unreconciled special revenue fund balance and the deposit of those funds in the general fund, the lesser of the following is appropriated to the supreme court for the 1993 biennium for court automation projects:

(a) $375,000; or

(b) the amount available from the balance after funding $923,977 appropriated for the 1993 biennium to the department of social and rehabilitation services for the TEAMS project in House Bill No. 2 and $627,376 appropriated in House Bill No. 569 to the department of family services for the 1993 biennium for purchase and development of a management information system.

(2) The funds appropriated to the supreme court must be used to pay necessary costs for court automation projects to improve information or case management systems or the administration of justice."

Amendment #1 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cody, Cromley, Daily, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gould, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Stang, Steppler, Stickney, Thomas, Tunby, Wallin, Whalen, Zook.
Total 68

Noes: Bardanouve, Boharski, Cohen, Davis, Feland, Gilbert, M. Hanson, Kimberley, Larson, McCaffree, Measure, Nisbet, Raney, Southworth, Swysgood, Thoft, Wanzenried.
Total 17

Excused: Gervais.
Total 1

Absent or not voting: Bradley, Cocchiarella, Connelly, Grady, Knox, Lee, Phillips, S. Rice, Spring, Squires, Strizich, Toole, Wyatt, Mr. Speaker.
Total 14

Representative Cobb moved HB 903, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, J. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gould, Grady, Grinde, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 72

Noes: Bardanouve, Barnett, Bergsagel, Boharski, Davis, R. DeBruycker, Dowell, Feland, Gilbert, S. J. Hansen, H. S. Hanson, M. Hanson, Larson, Lee, McCaffree, Measure, L. Nelson, T. Nelson, Phillips, Raney, Southworth, Stang, Swysgood, Thoft, Wanzenried.
Total 25

Excused: Gervais.
Total 1

Absent or not voting: Daily, S. Rice.
Total 2

HB 764 - Representative Hayne moved HB 764, second reading copy, be amended as follows (amendment #1):

1. Title, line 7.

Following: "~~MAINTENANCE~~"
Insert: ", OPERATION, AND MAINTENANCE"

2. Page 1, line 22.
Following: "~~maintenance~~"
Insert: ", operation, and maintenance"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 93

Noes: Brooke, Peck, Raney, Ream, Thomas, Wyatt.
Total 6

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

Representative Hayne moved HB 764, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Brooke, Ream.
Total 2

Voted Absentee: Gervais, Aye.

Excused: None.
Total 0

Absent or not voting: Kadas.
Total 1

HB 809 - Representative Peterson moved HB 809 do pass. Motion carried as follows:

Ayes: Barnhart, Beck, Becker, Benedict, Bradley, Brooke, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Ellison, Galvin, Gould, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Keller, Kilpatrick, Kimberley, Madison, McCarthy, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Stang, Stickney, Tunby, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 54

Noes: Bachini, Bardanouve, Barnett, Bergsagel, Boharski, D. Brown, J. Brown, Cobb, Cromley, R. DeBruycker, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Gilbert, Grady, H. S. Hanson, J. Johnson, Kadas, Kasten, Knox, Larson, Lee, McCaffree, McCulloch, L. Nelson, T. Nelson, Peck, Phillips, Raney, Scott, Steppler, Swysgood, Thoft, Thomas, Wallin.
Total 39

Excused: Gervais.
Total 1

Absent or not voting: Elliott, Mercer, Squires, Strizich, Toole, Wyatt.
Total 6

HB 986 - Representative Gilbert moved HB 986 do pass.

Representative D. Brown made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative D. Brown moved HB 986, second reading copy, be amended as follows (amendment #1):

1. Title, line 5.
Following: "FUEL"
Insert: "FOR ALL PURCHASERS EXCEPT AIRLINES"

2. Page 5, line 3.
Strike: "3 cents"
Insert: ":
(a)"

3. Page 5, lines 4 through 6.

Strike: ", which shall be allocated to the department of commerce as provided by 67-1-301,"
Following: "~~amended,~~"
Insert: ":

(i) 1 cent for each gallon sold to an air carrier certified under 49 U.S.C. 1371 or 1388; and

(ii) 3 cents for each gallon sold to all other purchasers;"

4. Page 5, line 6.
Following: "and"
Insert: "(b)"

5. Page 5, line 17.
Following: line 16
Insert: "(4) The tax on aviation fuel imposed by subsection (1)(a) must be allocated to the department of commerce as provided by 67-1-301."

6. Page 6, line 7.
Strike: "3-cent"

7. Page 9, line 9.
Following: "gallon"
Insert: "collected under 15-70-204(1)(a)(ii)"

8. Page 9, line 23.
Strike: "3 cents per gallon of"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Becker, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Cromley, Daily, R. DeBruycker, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gould, Grady, H. S. Hanson, M. Hanson, Hoffman, R. Johnson, Kasten, Keller, Knox, McCarthy, Menahan, Messmore, T. Nelson, Pavlovich, Phillips, Raney, Ream, J. Rice, Simpkins, Steppler, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Wyatt, Mr. Speaker.
Total 51

Noes: Barnhart, Beck, Benedict, Bergsagel, Bradley, Cody, Cohen, Darko, Davis, J. DeBruycker, Dolezal, Elliott, Feland, Gilbert, S. J. Hansen, Harrington, Hayne, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCulloch, Measure, L. Nelson, Nisbet, O'Keefe, Peck, Peterson, Quilici, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Tunby, Whalen, Zook.
Total 45

Excused: Gervais.
Total 1

Absent or not voting: Grinde, Mercer, S. Rice.
Total 3

Thereupon, HB 986, as amended, passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Feland, Forrester, Foster, Galvin, Gilbert, Grinde, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 80

Noes: Barnett, Bergsagel, Boharski, Clark, Cobb, Connelly, Fagg, Gould, Grady, S. J. Hansen, H. S. Hanson, R. Johnson, Kasten, Lee, Mercer, Swysgood, Thoft, Thomas, Wanzenried.
Total 19

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 958 - Representative Darko moved HB 958, second reading copy, be amended as follows (amendment #1):

1. Title, line 7.
Following: ";"
Strike: "AND"

2. Title, line 10.
Following: "23-5-309,"
Insert: "23-5-312, 23-5-313,"

Title, line 11.
Following: "23-5-503,"
Insert: "23-5-602"

3. Title, line 12.
Following: "MCA"
Insert: "; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION PROVISION"

4. Page 1, line 13.
Insert:

"STATEMENT OF INTENT

A statement of intent is required for this bill because the bill grants rulemaking authority to the department of justice. This bill's amendments of the laws regulating sports pools allow those pools to take a variety of forms. The legislature intends that the department adopt rules describing the various types of sports pools that will qualify as legal sports pools and that the department

develop and implement a procedure for reviewing and approving variations of approved sports pools that meet the requirements of 23-5-503."

5. Page 20, line 9 through page 21, line 25.
Strike: page 20, line 9 through page 21, line 25
Insert: "23-5-177. Operator of gambling establishment -- license -- fee. (1) It is a misdemeanor for a person who is not licensed by the department as an operator to make available to the public for play a gambling device or gambling enterprise for which a permit must be obtained from the department.

(2) To obtain an operator's license, a person shall submit to the department:

(a) a completed operator's license application on a form prescribed and furnished by the department;

(b) any other relevant information requested by the department; and

(c) a license application processing fee, as required in subsection (8).

(3) Before issuing an operator's license, the department shall approve, in accordance with [section 13], the premises in which the gambling activity is to be conducted.

(4) Except as provided in [section 13], regardless of the number of on-premises alcoholic beverage licenses issued for a premises, the department may issue only one operator's license for the premises.

~~(2)~~(5) An operator's license must include the following information:

(a) a description of the premises upon which the gambling will take place;

(b) the operator's name;

(c) a description of each gambling device or card game table ~~licensed~~ for which a permit has been issued to the operator by the department for play upon the premises, including the type of game and ~~license number or decal~~ permit number for each ~~licensed~~ game; and

(d) any other relevant information determined necessary by the department.

~~(3)~~(6) The operator's license must be issued annually along with all other ~~licenses~~ permits for gambling devices or games ~~licensed~~ issued to the operator.

~~(4)~~(7) The operator's license must be updated each time a video gambling ~~device~~ machine, bingo, keno, or card game table ~~license~~ permit is newly issued or the ~~device~~ machine or game is removed from the premises.

~~(5)~~(8) The department ~~may not~~ shall charge an applicant who has submitted an operator's license application on or after July 1, 1991, a one-time license application processing fee to cover the actual cost incurred by the department in determining whether the applicant qualifies for licensure under 23-5-176 ~~the issuance of an operator's license~~. After making its determination, the department shall refund any overpayment or charge and collect

amounts sufficient to reimburse the department for any underpayment of actual costs.

~~(6)~~(9) The operator's license must be prominently displayed upon the premises for which it is issued."

NEW SECTION. Section 13. Premises approval. (1) Except as provided in subsection (4), the department may approve a premises for issuance of an operator's license if the premises meets the requirements contained in subsections (2) and (3).

(2) The premises must:

(a) be a structure or facility that is clearly defined by permanently installed walls that extend from floor to ceiling;

(b) have a unique address assigned by the local government in which the premises is located; and

(c) have a public external entrance leading to a street or other common area.

(3) If the premises shares a common internal wall with another premises for which an operator's license has been issued, the common wall must be permanently installed, opaque, and extend from floor to ceiling and any access between the premises through a door or other opening in the wall may not allow public access.

(4) A second operator's license may be issued or renewed until June 30, 1996, for a person operating a gambling activity on a premises that did not meet the requirements of subsection (2) and subsection (3) if:

(a) the second operator's license was issued to the person on or before January 1, 1991; or

(b) (i) the application for the second operator's license was received by the department on or before January 1, 1991;

(ii) a second on-premises alcoholic beverages license was obtained for the premises on or before January 1, 1991; and

(iii) substantial physical modifications to the premises were made on or before January 1, 1991."

Renumber: subsequent sections

6. Page 22, line 7 through page 24, line 3.

Strike: page 22, line 7 through page 24, line 3

Insert: "23-5-306. Live card game table -- permit -- fees -- disposition of fees. (1) (a) A person who has been granted an operator's license under 23-5-177 and a license to sell alcoholic beverages for consumption on the premises may be granted an annual permit for the placement of live card game tables.

(b) The department may issue an annual permit for the placement of live card game tables to a person operating a premises not licensed to sell alcoholic beverages for consumption on the premises if:

(i) If one or more live card game tables were legally operated on a the premises on January 15, 1989~~, and the premises were not on that date licensed under 16-4-401(2) but~~;

(ii) the premises were licensed on that date to sell food, cigarettes, or any other consumable product~~, an operator's license and an annual permit for the placement of live card game tables~~

~~may be granted to the person who legally operated the premises on January 15, 1989.~~;

(iii) the person has been granted an operator's license under 23-5-177; and

(iv) at the time of application for the permit:

(A) a live card game table has been continuously operated on the premises since January 15, 1989, except that a live card game table need not have been continuously operated on the premises for a period, not exceeding 5 years, during which the persons referred to in subsection (1)(b)(iv)(B) held a security interest in the premises; and

(B) a majority of the natural persons who are owners holding a financial interest in the business operated on the premises remains the same as on January 15, 1989, except as provided in subsection (1)(c).

(c) If the spouse or a child of a person granted a permit under subsection (1)(b) acquires controlling financial interest in the business operated on the premises and obtains an operator's license under 23-5-177, the department may grant a permit and annually renew the permit if the spouse or child maintains controlling financial interest in the business. A person seeking a permit under this subsection (c) shall submit to the department sufficient proof of his relationship to the former permitholder.

(2) (a) ~~The~~ Except as provided in [section 20], an operator who offers the game of panguingue or poker shall pay the following annual permit fee in lieu of taxes for each live card game table ~~operated in a licensed operator's premises may not be prorated and must be~~ used to conduct panguingue or poker:

~~(a)~~(i) $250 for the first table; and

~~(b)~~(ii) $500 for each additional table.

(b) The fee imposed in subsection (2)(a) must be prorated on a quarterly basis but may not be prorated to allow a permit to expire before June 30. The department may not grant a refund if a live card game table ceases operation before the permit expires.

~~(3)~~(c) The department shall retain for administrative purposes $100 of the fee collected under ~~this part~~ subsection (2)(a) for each live card game table.

~~(4)~~(d) The department shall forward on a quarterly basis the remaining balance of the fee collected under subsection (2)(a) to the treasurer of the county or the clerk, finance officer, or treasurer of the city or town in which the live card game table is located for deposit to the county or municipal treasury. A county is not entitled to proceeds from fees assessed on live card game tables located in incorporated cities and towns within the county. The local government portion of this fee is statutorily appropriated to the department, as provided in 17-7-502, for deposit to the county or municipal treasury.

(3) A permit fee may not be imposed under this section on an operator who does not offer the game of panguingue or poker.""

7. Page 24, line 5.
Strike: "A"
Insert: "Except as provided in [section 20], a"

8. Page 25, line 9.
Strike: "17"
Insert: "20"

9. Page 25.
Following: line 15
Insert: "Section 18. Section 23-5-312, MCA, is amended to read:

"23-5-312. Prizes not to exceed three hundred dollars. A Except as provided in [section 20], a prize for an individual live card game may not exceed the value of $300. ~~Games~~, and games may not be combined in any manner so as to increase the value of the ultimate prize awarded."

Section 19. Section 23-5-313, MCA, is amended to read:

"23-5-313. Rules of play to be posted -- rake-off approved. Rules governing the conduct of each game must be prominently posted within the sight of the players at a live card game table on the premises of a licensed operator. The rules must include notice of the maximum percentage rake-off, if any, and must require that the person taking the rake-off do so in an obvious manner. An operator conducting a card game other than poker or panguingue may not take a rake-off or collect an entrance or administrative fee or any other form of remuneration from a player.""
Renumber: subsequent sections

10. Page 25, line 21.
Strike: "72 consecutive hours"
Insert: "5 consecutive days"

11. Page 27, lines 4 and 5.
Strike: subsection (7) in its entirety
Insert: "(7) The face value of the chips used does not govern the value of the pot awarded at the end of the tournament. Prizes awarded during a tournament are not limited to the total amount collected in entry or other fees and must be awarded according to tournament rules."

12. Page 35, line 7 through page 36, line 5.
Strike: page 35, line 7 through page 36, line 5
Insert: "23-5-501. ~~Definitions~~ Definition. As used in this part, unless the context clearly requires otherwise, ~~the following definitions apply:~~

~~(1) "Nonprofit organization" means a charitable, religious, scholastic, educational, veterans', fraternal, beneficial, civic, or service organization, other than one established for the purpose of conducting or participating in a sports pool.~~

~~(2)~~ "~~Sports~~ sports pool" means a ~~card divided into squares or spaces, with the names of the participants in the pool written within such squares or spaces, for~~ gambling activity, other than an activity governed under chapter 4 or chapter 5, part 2 of this title in which ~~consideration is~~ a person wagers money ~~is paid by the person playing~~ for each ~~square or space for the~~ chance to win money or other items of value based on ~~any~~ the outcome of a sports event or series of sports events wherein the ~~participants~~

competitors in ~~such~~ the sports event or series of sports events are natural persons or animals.""

13. Page 36, line 7 through page 37, line 8.
Strike: page 36, line 7 through page 37, line 8
Insert: "23-5-503. Rules. (1) The card or other device used for recording the sports pool ~~and upon which the squares or spaces appear shall~~ must clearly indicate in advance of the sale of any chances the number of chances to be sold in that specific pool, the name of the event or series of events, the consideration to be paid for each chance, and the total amount or percentage to be paid to the winners.

(2) ~~A chance to participate in a sports pool may not be sold other than upon the premises in which the sports pool is conducted. An individual~~ Each chance to participate in a sports pool ~~may not~~ must be sold for ~~a consideration in excess of~~ the same amount, which may not exceed $5, and the total amount ~~to be~~ paid to ~~the~~ all winners of any individual sports pool may not exceed the value of $500. Chances for a series of events may be purchased all at once prior to the occurrence of the first event.

(3) (a) Except as provided in subsection (3)(b), the ~~winner~~ winners of any sports pool shall receive a 100% payout of the value of the sports pool.

~~(3)~~(b) A nonprofit organization that maintains records and opens the records to inspection upon reasonable demand ~~records~~ to verify that the retained portion is used to support charitable activities, scholarships or educational grants, or community service projects may retain up to 50% of the value of a sports pool.

(4) A person or nonprofit organization conducting a sports pool may purchase chances to participate in the sports pool but may not:

(a) retain any portion of the amount wagered in the sports pool, except as provided in subsection (3)(b);

(b) charge a fee for participating in the sports pool; or

(c) use the sports pool in any manner to establish odds or handicaps or to allow betting or booking against the person or nonprofit organization conducting the pool."

NEW SECTION. Section 27. Sports pool design -- department rules. (1) A sports pool must be designed to ensure that:

(a) there is at least one winner from among the participants in the pool; and

(b) each participant has an equal chance to win the pool.

(2) Competitors in a sports event or series of sports events may be randomly assigned to each participant in the sports pool or be selected by the participants.

(3) The department shall by rule describe the types of sports pools authorized by this part. Variations in the authorized sports pools must be submitted to the department for review and approval before they are made available for public play."
Renumber: subsequent sections

14. Page 46, lines 14 and 17.
Strike: "and 17"
Insert: ", 14, 20, and 27"

15. Page 46.
Following: line 17
Insert: "NEW SECTION. Section 36. Effective date -- termination. (1) [Sections 15 through 20, 25 through 27, and this section] are effective on passage and approval.

(2) Except for the first sentence of subsection (4) of 23-5-177, that subsection terminates 5 years after [the effective date of this act]."

Amendment #1 passed as follows:

Ayes: Bachini, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Barnhart, Dowell, Forrester.
Total 3

Excused: Gervais.
Total 1

Absent or not voting: Bardanouve, S. J. Hansen, McCaffree, T. Nelson, Peterson, J. Rice, S. Rice, Spring.
Total 8

Representative Darko moved HB 958, second reading copy, be further amended as follows (amendment #2):

1. Title, line 8.
Following: "23-5-112,"
Insert: "23-5-113,"
Following: "23-5-114,"
Insert: "23-5-115,"
Following: "23-5-136,"
Insert: "23-5-152,"

2. Page 7, line 1.
Following: "."
Insert: "The term includes:

(a) a ticket or card known by any name containing concealed numbers or symbols that may match numbers or symbols designated in advance as prize winners, including a pull tab, punchboard, push card, tip board, pickle ticket, break-open, or jar game and not including a ticket or card issued under part 10 of this title or used in a nongambling promotional activity approved by the department; and

(b) an apparatus, implement, or device known by any name and specifically designed to be used in conducting an illegal gambling enterprise, including a faro box, faro layout, roulette wheel, roulette table, craps table, money wheel, or slot machine except as provided in 23-5-153."

3. Page 7, line 3.
Following: "violates"
Insert: "or is not specifically authorized by"

4. Page 7, line 4.
Following: "."
Insert: "The term includes:

(a) a card game known by any name and involving a bank or fund from which a participant may win money or other consideration and that receives money or other consideration lost by the participant, including the card games of blackjack, twenty-one, jacks or better, baccarat, and chemin de fer;

(b) a dice game known by any name and in which a participant wagers on the outcome of the roll of one or more dice, including craps, hazard, or chuck-a-luck and not including an activity in which a participant rolls one or more dice for a chance to obtain a drink or music; and

(c) sports betting known by any name and in which a person places a wager on the outcome of an athletic event, including bookmaking, parlay bets, sports sweepstakes, and sultan sports cards and not including those activities authorized in chapter 4 or chapter 5, parts 2 and 5."

5. Page 11, line 3.
Following: line 2
Insert: "Section 3. Section 23-5-113, MCA, is amended to read:

"23-5-113. Department as criminal justice agency -- seized property. (1) The department is a criminal justice agency. Designated agents of the department are granted peace officer status, with the power of search, seizure, and arrest, to investigate gambling activities in this state regulated by parts 1 through 6 of this chapter and the rules of the department and to report violations to the county attorney of the county in which they occur.

(2) Upon conviction for any violation of parts 1 through 6 of this chapter, the court may order any property seized by a department agent during a lawful search to be forfeited to the department, sold, if necessary, and disposed of under 23-5-123.""
Renumber: subsequent sections

6. Page 12, line 12.

Following: line 11
Insert: "Section 5. Section 23-5-115, MCA, is amended to read:

"23-5-115. Powers and duties of department -- licensing. (1) The department shall administer the provisions of parts 1 through 6 of this chapter.

(2) The department shall adopt rules to administer and implement parts 1 through 6 of this chapter.

(3) The department shall provide licensing procedures, prescribe necessary application forms, and grant or deny license applications.

(4) The department shall prescribe recordkeeping requirements for licensees, provide a procedure for inspection of records, provide a method for collection of taxes, and establish penalties for the delinquent reporting and payment of required taxes.

(5) The department may suspend, revoke, deny, or place a condition on a license issued under parts 1 through 6 of this chapter.

(6) (a) The department may not make public or otherwise disclose information obtained in the application or tax reporting processes, except for general statistical reporting or studies and as provided in subsection (6)(b).

(b) The department may disclose the following information from a license or permit application:

(i) the applicant's name;

(ii) the address of the business where the activity under the license or permit is to be conducted;

(iii) the name of each person having an ownership interest in the business;

(iv) the types of permits requested by the applicant; and

(v) any other relevant information that is obtained in the application or tax reporting process or as a result of other department operations and that may be disclosed only to a federal, state, city, county, or tribal criminal justice agency, the department of revenue, and the federal internal revenue service.

(7) The department shall assess, collect, and disburse any fees, taxes, or charges authorized under parts 1 through 6 of this chapter.""
Renumber: subsequent sections

7. Page 15, line 15.
Following: line 14
Insert: "Section 8. Section 23-5-152, MCA, is amended to read:

"23-5-152. Possession of illegal gambling device or conducting illegal gambling enterprise prohibited -- ~~exception~~ exceptions. (1) Except as provided in 23-5-153 and ~~subsection~~ subsections (2) through (4) of this section, it is a misdemeanor punishable under 23-5-161 for a person to purposely or knowingly:

(a) have in his possession or under his control or ~~to purposely or knowingly~~ permit to be placed, maintained, or kept in any room, space, enclosure, or building owned, leased, or occupied by him or under his management or control an illegal gambling device; or

(b) operate an illegal gambling enterprise.

(2) ~~This section~~ Subsection (1) does not apply to a public officer or to a person coming into possession of an illegal gambling device in or by reason of the performance of an official duty and holding it to be disposed of according to law.

~~(2)~~(3) (a) The department may adopt rules to license persons to manufacture gambling devices that are not legal for public play in the state and are manufactured only for export from the state.

(b) A person may not manufacture or possess an illegal gambling device for export from the state without having obtained a license from the department. The department may charge an administrative fee for the license that is commensurate with the cost of issuing the license.

(4) An illegal gambling device may be possessed or located in a public or private museum for display purposes only and not for operation.""

Renumber: subsequent sections

8. Page 25, line 9.
Strike: "17"
Insert: "20"

9. Page 46, line 14.
Strike: "13"
Insert: "16"
Strike: "17"
Insert: "20"

10. Page 46, line 17.
Strike: "13"
Insert: "16"
Strike: "17"
Insert: "20"

Amendment #2 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Barnhart, Forrester.
Total 2

Excused: Gervais.
Total 1

Absent or not voting: Feland, Hayne, Kadas, L. Nelson, J. Rice, S. Rice.
Total 6

Representative Darko moved HB 958, second reading copy, be further amended as follows (amendment #3):

1. Title, line 11.
Following: "23-5-611,"
Insert: "23-5-612,"

2. Page 39, line 23.
Following: line 22
Insert: "Section 26. Section 23-5-612, MCA, is amended to read:

"23-5-612. Machine permits -- fee. (1) The department, upon payment of the fee provided in subsection (2) and in conformance with rules adopted under this part, shall issue to the operator a an annual permit for an approved video gambling machine.

(2) The department shall charge an annual permit fee of $200 for each video gambling machine permit. The fee must be prorated on a quarterly basis but may not be prorated to allow a permit to expire before June 30. The department may not grant a refund if the video gambling machine ceases operation before the permit expires.

(3) The department shall retain ~~$100~~ 50% of the total permit fee collected under subsection (2) for purposes of administering this part. The ~~remaining $100~~ balance must be returned on a quarterly basis to the local government jurisdiction in which the gambling machine is located. The local government portion of the fee is statutorily appropriated to the department, as provided in 17-7-502, for deposit in the local government treasury.

~~(3) The permit expires on June 30 of each year, and the fee may not be prorated.~~

~~(4) A used keno machine may be licensed under subsection (1) without meeting the requirements of 23-5-609 [as that section read on September 30, 1989] if the applicant for licensure can establish to the satisfaction of the department that, on the date of application, he owns or possesses a machine that was owned or operated in the state prior to June 30, 1987. A license issued under this subsection expires for all purposes no later than June 30, 1989.~~""
Renumber: subsequent sections

3. Page 46, line 13.
Following: line 12
Insert: "NEW SECTION. Section 32. Definitions. Unless the context requires otherwise, the following definitions apply to [sections 32 through 38]:

(1) "Casino night" means a fundraising event during which wagers may be made in gambling activities authorized in [section 33] through the use of imitation money.

(2) "Nonprofit organization" means a nonprofit corporation or nonprofit charitable, religious, scholastic, educational, veterans', fraternal, beneficial, civic, senior citizens', or service organization established for purposes other than to conduct a gambling activity.

NEW SECTION. Section 33. Casino nights authorized. (1) Nonprofit organizations may conduct or participate in a casino night.

(2) The following gambling activities may be conducted during a casino night:

(a) live card games authorized under 23-5-311;

(b) live bingo and keno games; and

(c) raffles.

NEW SECTION. Section 34. Application for permit. (1) A nonprofit organization may apply to the department for a casino night permit on a form prescribed and furnished by the department. The application must be accompanied by a fee of $25.

(2) The application must include:

(a) the name and address of the applicant;

(b) the name and address of the applicant's officers;

(c) the location, date, and time at which the applicant will conduct the casino night;

(d) sufficient evidence concerning the structure and operation of the organization to enable the department to determine whether the applicant is a nonprofit organization; and

(e) other relevant information requested by the department.

NEW SECTION. Section 35. Issuance of permit -- disposition of fee. (1) After review of an application submitted under [section 34], the department may issue to the applicant a casino night permit. Only one permit may be issued to the applicant each year. The permit is valid for only one location and is not assignable or transferable.

(2) The department shall retain the fee provided for in [section 34] for administrative purposes.

NEW SECTION. Section 36. Requirements for conducting casino nights. A nonprofit organization that has obtained a permit under [section 35] shall conduct a casino night in compliance with the following conditions:

(1) The casino night may not last more than 12 consecutive hours.

(2) The casino night must be managed and operated only by members of the nonprofit organization that was issued the permit under [section 35]. The members may not be compensated for their services;

(3) Only merchandise may be awarded as prizes.

(4) Proceeds derived from the casino night, after payment of reasonable administrative expenses, may be used only for a civic, charitable, or educational purpose, and administrative expenses may not exceed 50% of the proceeds.

NEW SECTION. Section 37. Nonapplicability of certain gambling laws. The provisions of parts 3 and 4 of this chapter do not apply to live card games, live bingo or keno games, or raffles conducted during a casino night.

NEW SECTION. Section 38. Rules. The department shall adopt rules to administer [sections 32 through 37]. At a minimum, the rules must address application procedures and play of the games during a casino night.

NEW SECTION. Section 39. Fantasy sports leagues defined. As used in [sections 39 through 43], a "fantasy sports league" means a gambling activity conducted in the following manner:

(1) A fantasy sports league consists of a limited number of persons or groups of persons who pay an entrance fee for membership in the league. The entrance fee may include an administrative fee.

(2) Each league member creates a fictitious team composed of athletes from a given professional sport, such as baseball, basketball, or football. Player selection is conducted through random drawings or a bidding process.

(3) After the initial teams are selected, interim replacement of players may occur by trade or purchase. A specific fee, which may not exceed the total entrance fee, is charged for each transaction.

(4) A method, as defined by league rules, is devised to permit each team to compete against other teams in the league. Points are awarded to a team according to the performance of individual players or teams or both during a designated time period.

(5) A member may be eligible to receive a payout based on the number of points accumulated. Payouts, which may be in the form of cash or prizes, are awarded according to league rules.

(6) Rules governing the conduct of the fantasy sports league must be provided in writing to each member.

NEW SECTION. Section 40. Fantasy sports leagues authorized. It is lawful to conduct or participate in a fantasy sports league.

NEW SECTION. Section 41. Payouts -- administrative fees charged by commercial establishments. (1) The total value of payouts to all league members must equal the amount collected for entrance, administrative, and transactions fees, minus payment for administrative expenses.

(2) If a commercial establishment charges an administrative fee for conducting a fantasy sports league, the fee

for each participant may not be more than 15% of the amount charged as a participant's entrance fee.

NEW SECTION. Section 42. Sports betting prohibited -- applicability. [Sections 39 through 43] do not:

(1) authorize betting or wagering on the outcome of an individual sports event; or

(2) apply to gambling activities governed under chapter 4 or chapter 5, part 2 or 5, of this title.

NEW SECTION. Section 43. Violations. A person who purposely or knowingly violates or procures, aids, or abets in a violation of [sections 39 through 43] is guilty of a misdemeanor punishable under 23-5-161."

Renumber: subsequent section

4. Page 46, line 14.
Following: line 13
Insert: "(1)"

5. Page 46, line 18.
Following: line 17
Insert: "(2) [Sections 32 through 38] are intended to be codified as a separate part of Title 23, chapter 5. The provisions of Title 23, chapter 5, part 1, apply to [sections 32 through 38].

(3) [Sections 39 through 43] are intended to be codified as an integral part of Title 23, chapter 5, parts 1 through 6, and the provisions of Title 23, chapter 5, parts 1 through 6, apply to [sections 39 through 43]."

Amendment #3 passed as follows:

Ayes: Bachini, Bardanouve, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Foster, Galvin, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, R. Johnson, Kadas, Keller, Kilpatrick, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 80

Noes: Barnett, Barnhart, Brooke, Cobb, Cocchiarella, Cohen, Ellison, Forrester, Hayne, J. Johnson, Kasten, Kimberley, McCaffree, Measure, Wallin.
Total 15

Excused: Gervais.
Total 1

Absent or not voting: Feland, Grinde, Hoffman, L. Nelson.
Total 4

Representative Darko moved HB 958, second reading copy, be further amended as follows (amendment #4):

1. Page 46, line 13.
Following: line 12
Insert: "NEW SECTION. Section 31. Transfer of ownership interest. A licensed operator shall notify the department in writing before transferring any ownership interest in his premises.

NEW SECTION. Section 32. Card room contractor's license -- fee -- submission of contract. (1) It is a misdemeanor for a person to enter into a contract with a licensed operator to operate one or more live card game tables on the operator's premises without obtaining a card room contractor's license from the department.

(2) The department shall charge an annual license fee of $150 for issuing or renewing a card room contractor's license. The department shall retain the fee for administrative purposes.

(3) The applicant shall submit at the time of application for a card room contractor's license a copy of the agreement entered into with the licensed operator.

NEW SECTION. Section 33. Manufacturer's license for electronic bingo or keno equipment -- license and processing fees. (1) A person may not assemble, produce, manufacture, or supply electronic equipment for use in conducting live bingo or keno games in this state without obtaining an annual manufacturer's license from the department.

(2) The department shall charge an annual license fee of $1,000 for issuing or renewing a manufacturer's license.

(3) A manufacturer's license expires June 30 of each year, and the license fee may not be prorated.

(4) In addition to the license fee provided for in subsection (2), the department may charge a one-time manufacturer's application fee to cover the actual cost of processing the original license. The department shall refund an overpayment or charge and collect an amount sufficient to reimburse the department for underpayment of actual costs.

(5) The department shall retain for administrative purposes the license and processing fees collected under this section.

NEW SECTION. Section 34. Examination and approval of electronic bingo and keno equipment -- fee. (1) A licensed manufacturer shall submit to the department for examination a prototype of any electronic equipment intended for use in conducting live bingo or keno games before the equipment is used in the state.

(2) Before the equipment is examined, the manufacturer shall pay the anticipated examination costs as determined by the

department. The department shall refund an overpayment or charge and collect an amount sufficient to reimburse the department for underpayment of actual costs.

(3) Upon completion of the examination, the department may approve, disapprove, or place a condition upon use of the equipment before it is made available for use in conducting live bingo or keno games.

NEW SECTION. Section 35. Electronic live bingo and keno equipment specifications -- rules. The department shall adopt rules describing electronic live bingo and keno equipment that may be approved under [section 34]. At a minimum, the rules must provide that the equipment use a random selection process to determine the outcome of each game."

Renumber: subsequent section

2. Page 46, line 14.
Following: "13"
Insert: ","
Strike: "and"
Following: "17"
Insert: ", and 31 through 35"

3. Page 46, line 17.
Following: "13"
Insert: ","
Strike: "and"
Following: "17"
Insert: ", and 31 through 35"

Amendment #4 passed as follows:

Ayes: Bachini, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Barnhart, Ellison, Forrester, J. Johnson.
Total 4

Excused: Gervais.
Total 1

Absent or not voting: Bardanouve, Hoffman, McCaffree.
Total 3

Representative Darko moved HB 958, second reading copy, be further amended as follows (amendment #5):

1. Title, line 11.
Following: "23-5-603,"
Insert: "23-5-610,"

2. Page 16, line 3.
Following: "manufacturer-distributor"
Insert: "or a person licensed under subsection (4)"

3. Page 16, line 4.
Following: "of"
Insert: "commercially"

4. Page 16, line 6.
Following: line 5
Insert: "(4) A person other than a licensed manufacturer-distributor may not sell more than three antique slot machines in a 12-month period without first obtaining from the department an annual license for selling the machines. The fee for the license is $50 a year. The fee must be retained by the department for administrative purposes. The department may not issue a license under this subsection to a licensed operator."
Renumber: subsequent subsection

5. Page 37.
Following: line 8
Insert: "Section 24. Section 23-5-602, MCA, is amended to read:

"23-5-602. Definitions. As used in this part, the following definitions apply:

(1) "Associated equipment" means all proprietary devices, machines, or parts used in the manufacture or maintenance of a video gambling machine, including but not limited to integrated circuit chips, printed wired assembly, printed wired boards, printing mechanisms, video display monitors, metering devices, and cabinetry.

(2) "Bingo machine" means an electronic video gambling machine that, upon insertion of cash, is available to play bingo as defined by rules of the department. The machine utilizes a video display and microprocessors in which, by the skill of the player, by chance, or both, the player may receive free games or credits that may be redeemed for cash. The term does not include a slot machine or a machine that directly dispenses coins, cash, tokens, or anything else of value.

(3) "Draw poker machine" means an electronic video gambling machine that, upon insertion of cash, is available to play or simulate the play of the game of draw poker as defined by rules of the department. The machine utilizes a video display and microprocessors in which, by the skill of the player, by chance, or

both, the player may receive free games or credits that may be redeemed for cash. The term does not include a slot machine or a machine that directly dispenses coins, cash, tokens, or anything else of value.

(4) "Keno machine" means an electronic video gambling machine that, upon insertion of cash, is available to play keno as defined by rules of the department. The machine utilizes a video display and microprocessors in which, by the skill of the player, by chance, or both, the player may receive free games or credits that may be redeemed for cash. The term does not include a slot machine or a machine that directly dispenses coins, cash, tokens, or anything else of value.

(5) "~~Net~~ Gross machine income" means money put into a video gambling machine minus credits paid out in cash.

(6) "Video gambling machine manufacturer-distributor" means a person who assembles, produces, makes, or supplies video gambling machines or associated equipment for sale, use, or distribution in the state.""

Renumber: subsequent sections

6. Page 38, line 3.
Following: "are"
Insert: "permitted to be"

7. Page 38, lines 5 and 6.
Strike: "sight and" on line 5
Following: "the" on line 5
Insert: "licensed"
Following: "operator" on line 5
Strike: remainder of line 5 through "employees" on line 6

8. Page 38, line 8.
Following: line 7
Insert: "Section 26. Section 23-5-610, MCA, is amended to read:

"23-5-610. Video gambling machine ~~net~~ gross income tax -- records -- distribution -- quarterly statement and payment. (1) ~~An~~ A licensed operator issued a permit under this part shall pay to the department a video gambling machine tax of 15% of ~~net machine~~ the gross income from each video gambling machine licensed under this part. A licensed operator may deduct from the gross income amounts equal to amounts stolen from machines or stolen after being taken out of machines if the amounts are not repaid by insurance and if a law enforcement agency investigated the theft.

(2) ~~An~~ A licensed operator issued a permit under this part shall keep a record of ~~net machine~~ the gross income from each machine in such form as the department may require. The records must at all times during the business hours of the licensee be subject to inspection by the department.

(3) ~~An~~ A licensed operator issued a permit under this part shall, within 15 days after the end of each quarter, complete and deliver to the department a statement showing the total ~~net machine~~ gross income from each video gambling machine licensed

to him, together with the total amount due the state as video gambling machine ~~net~~ gross income tax for the preceding quarter. The statement must contain other relevant information as the department may require.

(4) (a) The department shall forward one-third of the tax collected under subsection (3) to the general fund.

(b) The department shall forward the remaining two-thirds of the tax collected under subsection (3) to the treasurer of the county or the clerk, finance officer, or treasurer of the city or town in which the licensed machine is located, for deposit to the county or municipal treasury. Counties are not entitled to proceeds from taxes on income from video gambling machines located in incorporated cities and towns. The two-thirds local government portion of tax collected under subsection (3) is statutorily appropriated to the department as provided in 17-7-502 for deposit to the county or municipal treasury.""

Renumber: subsequent sections

9. Page 46, line 13.
Following: line 12
Insert: "NEW SECTION. Section 32. Inspection of premises, records, and devices. The department or a local law enforcement official may inspect at any time during normal business hours a premises, as defined in 23-5-112, or a facility where gambling devices are manufactured or distributed. The inspection may include the examination of records, equipment, and proceeds related to the operation of a gambling activity or to the manufacture or distribution of a gambling device."
Renumber: subsequent section

10. Page 46, lines 14 and 17.
Following: "13"
Strike: "and"
Insert: ","
Following: "17"
Insert: ", and 32"

Amendment #5 passed as follows:

Ayes: Bachini, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Foster, Galvin, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Barnhart, Cobb, Feland, Forrester.
Total 4

Excused: Gervais.
Total 1

Absent or not voting: Bardanouve, Clark, Grinde, Larson, S. Rice.
Total 5

Representative Darko moved HB 958, second reading copy, be further amended as follows (amendment #6):

1. Page 19, lines 16 and 17.
Following: "offense"
Strike: remainder of line 16 through "misdemeaner" on line 17

2. Page 19, lines 18 and 19
Following: "application"
Strike: remainder of line 18 through "offense," on line 19

Amendment #6 passed as follows:

Ayes: Bachini, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Barnhart, Forrester, Wallin.
Total 3

Excused: Gervais.
Total 1

Absent or not voting: Bardanouve, Clark, Elliott, Kadas, Raney.
Total 5

Representative Pavlovich moved HB 958, second reading copy, be further amended (amendment #7). Amendment #7 failed as follows: (46-49)

Representative Menahan moved HB 958, second reading copy, be further amended as follows (amendment #8):

1. Page 15, line 20.
Strike: "manufactured before January 1, 1965"

Insert: "that at any present time is more than 25 years old"

Amendment #8 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Barnhart, Bergsagel.
Total 2

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

Representative Darko moved HB 958, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Feland, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hoffman, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: Barnett, Barnhart, Bergsagel, Daily, Dowell, Fagg, Forrester, Foster, Gilbert, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, T. Nelson, Pavlovich, Quilici, Wallin.
Total 18

Voted Absentee: Gervais, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 1012 - Representative Elliott moved HB 1012 do pass.

Representative Cohen made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Cohen moved HB 1012, second reading copy, be amended (amendment #1). Amendment #1 failed as follows: (36-59)

Thereupon, HB 1012 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Bradley, J. Brown, Clark, Cobb, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, J. Johnson, R. Johnson, Kasten, Keller, Knox, Lee, Madison, McCaffree, McCarthy, Menahan, Messmore, L. Nelson, T. Nelson, O'Keefe, Peck, Peterson, Quilici, Raney, J. Rice, S. Rice, Schye, Scott, Simpkins, Spring, Stang, Steppler, Thomas, Tunby, Wallin, Wyatt.
Total 57

Noes: Beck, Benedict, Bergsagel, Brooke, D. Brown, Cocchiarella, Cody, Cohen, Daily, R. DeBruycker, Dolezal, Driscoll, Gervais, Gilbert, Gould, Harrington, Hayne, Hoffman, Kilpatrick, Kimberley, Larson, McCulloch, Measure, Mercer, Nisbet, Pavlovich, Phillips, Ream, Russell, Southworth, Squires, Stickney, Strizich, Swysgood, Thoft, Toole, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 40

Voted Absentee: Gervais, No.

Excused: None.
Total 0

Absent or not voting: Becker, Boharski, Kadas.
Total 3

HB 93 - Representative S. Rice moved HB 93, second reading copy, be amended as follows (amendment #1):

1. Strike: the House committee on Appropriations amendments dated April 4, 1991.

Amendment #1 passed as follows:

Ayes: Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Cromley, Daily, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Feland, Foster, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, R. Johnson, Kasten, Keller, Knox, Lee, Madison, McCulloch, Mercer, Messmore, T. Nelson, Peterson, Phillips,

J. Rice, S. Rice, Scott, Simpkins, Spring, Stickney, Strizich, Thomas, Tunby, Whalen, Zook.
Total 51

Noes: Bachini, Bardanouve, Barnhart, Bradley, Brooke, Cody, Cohen, Darko, Davis, J. DeBruycker, Driscoll, Ellison, Forrester, Galvin, Gould, S. J. Hansen, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, McCaffree, McCarthy, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Southworth, Squires, Stang, Steppler, Swysgood, Thoft, Toole, Wallin, Wanzenried, Wyatt, Mr. Speaker.
Total 47

Excused: Gervais, Gilbert.
Total 2

Absent or not voting: None.
Total 0

Representative Cobb moved HB 93, as amended, do pass. Motion carried as follows:

Ayes: Barnett, Beck, Becker, Benedict, Boharski, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Cromley, Daily, Darko, J. DeBruycker, Dolezal, Dowell, Elliott, Ellison, Fagg, Forrester, Foster, Gervais, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCulloch, Mercer, T. Nelson, Pavlovich, Peterson, Phillips, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Stang, Stickney, Thomas, Tunby, Wallin, Whalen, Zook.
Total 62

Noes: Bachini, Bardanouve, Barnhart, Bergsagel, Bradley, Brooke, Cody, Cohen, Davis, R. DeBruycker, Driscoll, Feland, Galvin, Larson, McCarthy, Measure, Menahan, Messmore, Nisbet, O'Keefe, Peck, Quilici, Raney, Ream, Scott, Squires, Steppler, Swysgood, Thoft, Toole, Wanzenried, Wyatt, Mr. Speaker.
Total 33

Voted Absentee: Gervais, Aye.

Excused: Gilbert.
Total 1

Absent or not voting: Ellis, S. J. Hansen, L. Nelson, Strizich.
Total 4

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman J. Rice moved the adoption of the committee report. Report adopted. (74-22)

COMMUNICATIONS AND PETITIONS

Chief Clerk Joyce Andrus April 4, 1991
Montana House of Representatives
State Capitol
Helena, MT 59620

Dear Joyce:

Pursuant to Title 5, Chapter 15, Montana Codes Annotated, I am pleased to appoint Representative Joe Quilici and Representative John Phillips to the Legislative Consumer Committee.

Sincerely,

Hal Harper
Speaker

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/4/91
Examined by the sponsor and found to be correct:
HB 640 - J. Brown
HB 641 - Knox
HB 642 - Cocchiarella
HB 700 - T. Nelson
HB 858 - Gilbert
HB 926 - Hoffman
Signed by the Speaker at 4:00 p.m., 4/4/91: HB 175, HB 390, HB 640, HB 641, HB 642, HB 700, HB 765, HB 858, HB 952, HJR 31.
Signed by the Speaker at 6:30 p.m., 4/4/91: HB 926, SB 8, SB 107, SB 276, SB 321, SB 346.
Delivered to the Secretary of State at 12:45 p.m., 4/4/91: HJR 8, HJR 30

APPROPRIATIONS (Bardanouve, Chairman): 4/4/91
HB 93, second reading copy, be amended as follows:

1. Title, lines 12 and 13.
Following: "~~DEPOSITED IN THE GENERAL FUND~~" on line 12
Strike: "USED FOR CERTAIN MEDICAID REIMBURSEMENTS"
Insert: "DEPOSITED IN THE GENERAL FUND"

2. Title, line 14.
Following: "DATES"
Strike: "_"
Insert: "AND"

3. Title, lines 14 and 15.
Following: "DATE"
Strike: ", AND A TERMINATION DATE"

4. Page 5, line 16.
Following: "1993"

Insert: "and each year thereafter"

5. Page 14, lines 7 and 8.
Following: "~~general fund~~"
Strike: the remainder of line 7 and line 8 in their entirety
Insert: "the state general fund"

6. Page 14, line 17.
Following: "APPROPRIATED"
Strike: "FROM THE ACCOUNT ESTABLISHED IN [SECTION 13]"

7. Page 14, line 22.
Strike: "STATE SPECIAL REVENUE FUNDS $923,626"
Insert: "State General Fund $508,576"

8. Page 14, line 23.
Strike: "2,341,223"
Insert: "1,289,147"

9. Page 14, line 24.
Strike: "$3,264,849"
Insert: "$1,797,723"

10. Page 15, line 1.
Strike: "STATE SPECIAL REVENUE FUNDS $1,465,300"
Insert: "State General Fund $618,316"

11. Page 15, line 2.
Strike: "3,749,294"
Insert: "1,582,096"

12. Page 15, line 3.
Strike: "$5,214,594"
Insert: "$2,200,412"

13. Page 17, lines 10 and 11.
Strike: lines 10 and 11 in their entirety

And, as amended, do pass. Report adopted.

SB 37, third reading copy, be amended as follows:

Amend House Judiciary Committee report dated February 11, 1991, as follows:

Amendment No. 1 through 3
Strike: Amendment No. 1 through 3

Amend the third reading copy of the bill as follows:

1. Title, line 20.
Following: "SERVICES;"

Insert: "PROVIDING FOR A FEE ON COIN-OPERATED, RECREATIONAL GAME MACHINES TO FUND YOUTH DETENTION SERVICES, FACILITIES, AND PROGRAMS; PROVIDING A STATUTORY APPROPRIATION;"
Following: "15-25-122,"
Insert: "17-7-502,"

2. Page 29.
Following: line 12
Insert: "NEW SECTION. Section 25. Coin-operated, recreational, electronic and electromechanical game machine permit -- permit fee -- collection and disposition of fee -- penalty. (1) For purposes of this section, "game machine" means a coin-operated, recreational, electronic or electromechanical device into which a player inserts a coin or coins to play a video or other game and receives either no prize or only one or more free games as a prize. The term includes but is not limited to games commonly known as video games and pinball machines. It does not include a machine or other device regulated under Title 23, chapter 5.

(2) A game machine may not be made available for public play unless the person upon whose premises it is made available for public play has obtained a permit from the department of revenue. The permit fee is $50 a year, renewable annually on July 1. The fee for a game machine made available for public play for only part of a year must be prorated. The department shall develop a sticker to be placed on each game machine, in a location chosen by the department. The sticker is evidence of payment of the fee.

(3) The department may adopt rules to implement this section.

(4) There is an account in the state special revenue fund. Money collected under subsection (2) must be deposited by the department in the account. One-tenth of the money in the account is statutorily appropriated, as provided in 17-7-502, to the department to be used to administer this section, and the remainder is statutorily appropriated to the board of crime control to be used by the board to fund state grants to counties for youth detention services, facilities, centers, holdovers, and programs, as provided in [section 8].

(5) A person who purposefully or knowingly makes a game machine available for public play without payment of the fee is punishable upon conviction by not more than 30 days in jail, a fine of not more than $500, or both.

Section 26. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-9-202; 2-17-105; 2-18-812; 10-3-203; 10-3-312; 10-3-314; 10-4-301; 13-37-304; 15-1-111; 15-25-123; 15-31-702; 15-36-112; 15-37-117; 15-65-121; 15-70-101; 16-1-404; 16-1-410; 16-1-411; 17-3-212; 17-5-404; 17-5-424; 17-5-804; 19-8-504; 19-9-702; 19-9-1007; 19-10-205; 19-10-305; 19-10-506; 19-11-512; 19-11-513; 19-11-606; 19-12-301; 19-13-604; 20-6-406; 20-8-111; 20-9-361; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-1016; 23-5-1027; 27-12-206; 37-51-501; 39-71-2504; 53-6-150; 53-24-206; 61-2-406; 61-5-121; 67-3-205; 75-1-1101; 75-5-1108; 75-11-313; 76-12-123; 80-2-103; 82-11-136; 82-11-161; 90-3-301; 90-4-215; 90-4-613; 90-6-331; 90-9-306; [section 25]; and section 13, House Bill No. 861, Laws of 1985.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for such payments. (In subsection (3), pursuant to sec. 10, Ch. 664, L. 1987, the inclusion of 39-71-2504 terminates June 30, 1991.)""

Renumber: subsequent sections

3. Page 29, line 24.
Following: line 23
Insert: "NEW SECTION. Section 29. Coordination instruction. If this bill and either Senate Bill No. 38 or Senate Bill No. 59 are passed and approved, then the definition of "youth in need of supervision" contained in the amendment to 41-5-103 in Senate Bill No. 38 and Senate Bill No. 59 is amended to read:

"Youth in need of supervision" means a youth who commits an offense prohibited by law that, if committed by an adult, would not constitute a criminal offense, including but not limited to a youth who:

(a) violates any Montana municipal or state law regarding use of alcoholic beverages by minors;

(b) habitually disobeys the reasonable and lawful demands of his parents, foster parents, physical custodian, or guardian or is ungovernable and beyond control;

(c) being subject to compulsory school attendance, is habitually truant from school; or

(d) has committed any of the acts of a delinquent youth but whom the youth court, in its discretion, chooses to regard as a youth in need of supervision.""

Renumber: subsequent sections

4. Page 29, line 25.

Following: "18"
Strike: ","
Insert: "and"
Strike: "26"
Insert: "28"
Strike: ", and this section"

5. Page 30, line 3.
Following: line 2
Insert: "(3) [Section 29 and this section] are effective on passage and approval."

And, as amended, be concurred in. Report adopted.

SB 82, third reading copy, be amended as follows:

1. Page 18, line 13.
Strike: "90"
Insert: "85"

2. Page 18, line 18.
Strike: "2.25"
Insert: "2.13"

3. Page 18, line 20.
Strike: "90"
Insert: "85"

4. Page 20, line 15.
Strike: "22.5"
Insert: "21.25"

5. Page 23, line 12.
Strike: "$5.62"
Insert: "$5.31"

6. Page 23, line 13.
Strike: "$3.38"
Insert: "$3.19"

And, as amended, be concurred in. Report adopted.

SB 105, third reading copy, be concurred in. Report adopted.
SB 215, third reading copy, be amended as follows:

1. Page 3, line 1.
Following: "4]"
Insert: ", for bonds issued to finance capital projects for community health facilities that contract with the state to provide health care services"

And, as amended, be concurred in. Report adopted.

SB 229, third reading copy, be concurred in. Report adopted.
SB 232, reference copy, be amended as follows:

1. Title, line 19.
Following: ";"
Insert: "TO PROVIDE AN APPROPRIATION;"

2. Page 6, line 17.
Strike: "$18.50"
Insert: "$11.50"

3. Page 6, line 20.
Strike: "$18.50"
Insert: "$11.50"

4. Page 16, line 18.
Following: "75-10-513(2)"
Insert: "discovered during department of justice inspections"

5. Page 16.
Following: line 18
Insert: "NEW SECTION. Section 7. Appropriation. There is appropriated to the motor vehicle division in the department of justice from the general fund $417,300 in fiscal year 1992 and $769,140 in fiscal year 1993 to fund the creation and operation of the statewide vehicle identification number inspection program."
Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

SB 242, third reading copy, be concurred in. Report adopted.
SB 269, third reading copy, be concurred in. Report adopted.
SB 274, third reading copy, be concurred in. Report adopted.
SB 385, third reading copy, be concurred in. Report adopted.
SB 391, third reading copy, be concurred in. Report adopted.

JUDICIARY (Strizich, Chairman): 4/4/91
SB 246, third reading copy, be amended as follows:

1. Title, line 5.
Strike: "REMOVING"
Insert: "EXTENDING"

2. Title, line 7.
Following: "ACTIONS;"
Insert: "REVISING THE LAW RELATING TO JUDICIAL AND QUASI-JUDICIAL IMMUNITY;"

3. Title, lines 8 and 9.
Strike: "3, CHAPTER 22, SPECIAL LAWS OF JUNE 1986"
Insert: "2-9-112, MCA"

4. Title, line 10.

Following: "DATE"
Insert: "AND AN APPLICABILITY DATE"

Page 1, line 17.
Following "~~date~~"
Insert: "termination date"

5. Page 1, line 20.
Following: "~~1991.~~"
Insert: "Sections 1 and 2 of this act terminate on June 30, 1993."

6. Page 1.
Following: line 20
Insert: "NEW SECTION. Section 2. Immunity from suit for judicial acts and omissions. (1) The state and other governmental units are immune from suit for acts or omissions of the judiciary.

(2) A member, officer, or agent of the judiciary is immune from suit for damages arising from his lawful discharge of an official duty associated with judicial actions of the court.

(3) As used in this section, the term "judiciary" means only those courts established in accordance with Article VII of The Constitution of the State of Montana. The term does not include executive or administrative agencies of the state and other governmental units exercising quasi-judicial authority.

(4) To the extent that this section denies judicial immunity to executive or administrative agencies exercising quasi-judicial authority of the state and other governmental units, this section specifically revises the common-law rule of quasi-judicial immunity as it might otherwise apply to executive or administrative agencies."
Renumber: subsequent sections

7. Page 1, lines 21 and 22.
Strike: "3, CHAPTER 22, SPECIAL LAWS OF JUNE 1986"
Insert: "2-9-112, MCA"

8. Page 1.
Following: line 22
Insert: "NEW SECTION. Section 4. Codification instruction. [Section 2] is intended to be codified as an integral part of Title 2, chapter 9, part 1, and the provisions of Title 2, chapter 9, part 1, apply to [section 2].

NEW SECTION. Section 5. Applicability. [This act] applies to causes of action arising on or after [the effective date of this act]."
Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

TAXATION (Harrington, Chairman): 4/4/91
SB 26, third reading copy, be concurred in. Report adopted.
SB 69, third reading copy, be concurred in. Report adopted.

SB 177, third reading copy, be amended as follows:

1. Page 2, line 2.
Following: "abandoned"
Insert: "and subject to the custody of this state as unclaimed property"

2. Page 9, lines 14 through 17.
Strike: "by the" on line 14 through "government" on line 17

And, as amended, be concurred in. Report adopted.

SB 288, third reading copy, be concurred in. Report adopted.
SB 299, third reading copy, be concurred in. Report adopted.
SB 462, third reading copy, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/4/91

HB 487, introduced by Wyatt
HB 539, introduced by Daily
HB 543, introduced by Darko
HB 563, introduced by Knox
HB 570, introduced by J. Rice
HB 591, introduced by Southworth
HB 613, introduced by Ellison
HB 638, introduced by Schye
HJR 38, introduced by Squires

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/4/91

HB 37, introduced by Davis
HB 139, introduced by Raney
HB 272, introduced by Bradley
HB 306, introduced by Barnett
HB 342, introduced by Wanzenried
HB 467, introduced by Lee
HB 513, introduced by Simpkins
HB 538, introduced by Bradley
HB 557, introduced by Ream
HB 568, introduced by J. Rice
HB 678, introduced by Stang
HB 705, introduced by Galvin
HB 870, introduced by R. Johnson
HB 913, introduced by J. Johnson
HB 917, introduced by Toole
HB 966, introduced by Steppler
HJR 39, introduced by Daily
HJR 40, introduced by S. Rice

Senate bills passed and transmitted to the House for concurrence:
4/4/91

SB 427, introduced by Gage
SB 428, introduced by Nathe
SB 435, introduced by B. Brown
SB 460, introduced by Svrcek
SB 461, introduced by Waterman

HB 404, introduced by Grinde, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted on 4/4/91 to the House with the following vote:

YEAS - 44
NAYS - 6

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 4, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 65, 117, 164, 174, 263, 284, 361, 423, 536, 581, 602, 606, 625, 655, 697, 745, 791, 798, 813 and 817 on April 4, 1991.

Sincerely,

STAN STEPHENS
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bills were introduced, read first time, and referred to committee:

SB 427, introduced by Gage, B. Brown (by request of the Department of Justice), referred to Committee on Judiciary
SB 428, introduced by Nathe, Gage, Cody, referred to Committee on Taxation
SB 435, introduced by B. Brown, Kadas, Fritz, Wallin, referred to Committee on Taxation
SB 460, introduced by Svrcek, Harp, referred to Committee on Taxation
SB 461, introduced by Waterman, referred to Committee on Taxation

MOTIONS

Representative Hoffman moved the rules be suspended to permit placement and consideration of HB 312 on third reading this legislative day. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 312 passed as follows:

Ayes: Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Foster, Galvin, Gervais, Grady, Harrington, Hoffman, J. Johnson, Kilpatrick, Kimberley, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Toole, Tunby, Wallin, Whalen, Wyatt, Mr. Speaker.
Total 53

Noes: Bachini, Bardanouve, Barnett, Barnhart, Benedict, Bergsagel, Boharski, Cohen, J. DeBruycker, R. DeBruycker, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kadas, Kasten, Keller, Knox, Larson, Lee, Measure, Mercer, L. Nelson, T. Nelson, Peck, Peterson, Raney, Schye, Stang, Steppler, Swysgood, Thoft, Thomas, Wanzenried, Zook.
Total 45

Voted Absentee: Gervais, Aye.

Excused: Gilbert.
Total 1

Absent or not voting: S. J. Hansen.
Total 1

HB 903 passed as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gould, Grady, Grinde, S. J. Hansen, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 75

Noes: Bardanouve, Barnett, Bergsagel, Boharski, Davis, J. DeBruycker, R. DeBruycker, Dowell, Feland, H. S. Hanson, M. Hanson, Kasten, Lee, McCaffree, L. Nelson, T. Nelson, Peck, Raney, Southworth, Stang, Swysgood, Thoft, Wanzenried.
Total 23

Excused: Gervais, Gilbert.
Total 2

Absent or not voting: None.
Total 0

HB 764 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Brooke.
Total 1

Voted Absentee: Gervais, Aye.

Excused: Gilbert.
Total 1

Absent or not voting: J. DeBruycker, Peterson.
Total 2

HB 809 passed as follows:

Ayes: Barnhart, Beck, Becker, Bradley, Brooke, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Davis, Dolezal, Ellison, Foster, Galvin, Gould, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Keller, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Peterson, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Toole, Tunby, Whalen, Wyatt, Zook, Mr. Speaker.
Total 54

Noes: Bachini, Bardanouve, Barnett, Benedict, Bergsagel, Boharski, D. Brown, J. Brown, Cobb, Cromley, Darko, J. DeBruycker, R. DeBruycker,

Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Grady, Grinde, H. S. Hanson, J. Johnson, Kadas, Kasten, Knox, Lee, McCaffree, Mercer, L. Nelson, T. Nelson, Peck, Phillips, Quilici, Raney, Scott, Steppler, Swysgood, Thoft, Thomas, Wallin, Wanzenried.
Total 43

Excused: Gervais, Gilbert.
Total 2

Absent or not voting: S. J. Hansen.
Total 1

HB 986 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Feland, Forrester, Foster, Galvin, Gilbert, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 77

Noes: Bachini, Barnett, Bergsagel, Boharski, Clark, Cobb, Connelly, Fagg, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, R. Johnson, Kasten, Lee, Mercer, Peck, Swysgood, Thoft, Thomas, Wanzenried.
Total 22

Voted Absentee: Gilbert, Aye.

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 958 passed as follows:

Ayes: Bachini, Bardanouve, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Feland, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hoffman, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: Barnett, Barnhart, Bergsagel, Cohen, Daily, Dowell, Fagg, Forrester, Foster, Hayne, R. Johnson, Kasten, T. Nelson, Pavlovich, Peck, Wallin.
Total 16

Voted Absentee: Gervais, Aye.

Excused: Gilbert.
Total 1

Absent or not voting: Harrington, Menahan.
Total 2

HB 1012 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Boharski, Bradley, J. Brown, Clark, Cobb, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, L. Nelson, T. Nelson, O'Keefe, Peck, Peterson, Quilici, Raney, J. Rice, S. Rice, Simpkins, Spring, Stang, Steppler, Strizich, Thomas, Tunby, Wallin, Wyatt.
Total 60

Noes: Beck, Benedict, Bergsagel, Brooke, D. Brown, Cocchiarella, Cody, Cohen, Daily, R. DeBruycker, Dolezal, Driscoll, Gervais, Gould, Hayne, Kasten, Kilpatrick, Kimberley, Knox, Larson, Measure, Mercer, Nisbet, Pavlovich, Phillips, Ream, Russell, Schye, Scott, Southworth, Squires, Stickney, Swysgood, Thoft, Toole, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 39

Voted Absentee: Gervais, No.

Excused: Gilbert.
Total 1

Absent or not voting: None.
Total 0

HB 93 passed as follows:

Ayes: Barnett, Beck, Becker, Benedict, Boharski, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Cromley, Daily, Darko, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Gervais, Gould, Grinde, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCulloch, Mercer, L. Nelson, T. Nelson, Peterson, Phillips, Quilici, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Stickney, Thomas, Tunby, Wallin, Whalen, Zook.
Total 60

Noes: Bachini, Bardanouve, Barnhart, Bergsagel, Bradley, Brooke, Cody, Cohen, Davis, R. DeBruycker, Driscoll, Feland, Galvin, S. J. Hansen, H. S.

Hanson, Larson, McCaffree, McCarthy, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Raney, Ream, Southworth, Squires, Stang, Steppler, Strizich, Swysgood, Thoft, Toole, Wanzenried, Wyatt, Mr. Speaker.
Total 38

Voted Absentee: Gervais, Aye.

Excused: Gilbert.
Total 1

Absent or not voting: Grady.
Total 1

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 11:00 a.m., Friday, April 5, 1991. Motion carried.

House adjourned at 6:40 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

SEVENTY-SECOND LEGISLATIVE DAY

Helena, Montana
April 5, 1991

House Chambers
State Capitol

House convened at 11:00 a.m. Mr. Speaker in the Chair. Invocation by Reverend Tom Banks. Pledge of Allegiance to the Flag.

Roll call. All members present except J. DeBruycker, Gervais, Quilici, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/5/91
Correctly engrossed: HB 93, HB 312, HB 764, HB 809, HB 903, HB 958, HB 986, HB 1012.
Correctly enrolled: HB 741.
Examined by the sponsor and found to be correct:
HB 741 - Cromley
Delivered to the Governor for his approval at 9:30 a.m., 4/5/91: HB 175, HB 390, HB 640, HB 641, HB 642, HB 700, HB 765, HB 858, HB 952.
Delivered to the Secretary of State at 9:30 a.m., 4/5/91: HJR 31

TAXATION (Harrington, Chairman): 4/5/91
SB 236, third reading copy, be concurred in. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 4, 1991

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 567, "AN ACT TO MODERNIZE THE DUTIES OF THE ATTORNEY GENERAL; AMENDING SECTION 2-15-501, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

I have substituted the word "judgment" for the word "process." By doing so, Section 2, subsection (2) of House Bill 567 will reinstate the authority of the attorney general to carry out execution of a judgment that has been successfully prosecuted. It appears the legislature inadvertently substituted the word "process" for the word "judgment" and thus, created a legal void which must be corrected. The Department of Justice and the Sponsor, Representative Fagg, concur with this amendment. I request the legislature act favorably upon this technical amendment.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 567
(REFERENCE COPY, AS AMENDED)
April 4, 1991

1. Page 1, line 23.
Following: "to carry the"
Strike: "process"
Insert: "judgment"

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 311 concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Boharski, R. DeBruycker.
Total 2

Voted Absentee: J. DeBruycker, Gervais, Ayes.

Excused: Quilici.
Total 1

Absent or not voting: Bachini, Barnett, Peterson.
Total 3

SB 336 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson,

M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Boharski, R. DeBruycker, Gilbert, Swysgood.
Total 4

Voted Absentee: J. DeBruycker, Gervais, Ayes.

Excused: Quilici.
Total 1

Absent or not voting: Peterson.
Total 1

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Darko moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative O'Keefe in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 16 - Representative T. Nelson moved SB 16, third reading copy, be amended as follows (amendment #1):

Title, line 12.
Following: "33-20-305,"
Insert: "33-22-229,"

1. Page 22, lines 17 through 21.
Strike: lines 17 through 21 in their entirety
Insert: ""Conformity with Montana statutes. The provisions of this policy conform to the minimum requirements of Montana law and control over any conflicting statutes of any state in which the insured resides on or after the effective date of this policy.""

2. Page 36, lines 20 through 24.
Strike: lines 20 through 24 in their entirety
Insert: ""Conformity with Montana statutes. The provisions of this policy conform to the minimum requirements of Montana law and control over any conflicting statutes of any state in which the insured resides on or after the effective date of this policy.""

3. Page 37, lines 5 through 9.
Strike: lines 5 through 9 in their entirety

Insert: ""Conformity with Montana statutes. The provisions of this policy conform to the minimum requirements of Montana law and control over any conflicting statutes of any state in which the insured resides on or after the effective date of this policy.""

4. Page 37, lines 15 through 19.
Strike: lines 15 through 19 in their entirety
Insert: ""Conformity with Montana statutes. The provisions of this policy conform to the minimum requirements of Montana law and control over any conflicting statutes of any state in which the insured resides on or after the effective date of this policy.""

5. Page 53, line 20.
Following: line 19
Insert: "Section 34. Section 33-22-229, MCA, is amended to read:

"33-22-229. Conformity with state statutes. There must be a provision or the equivalent thereto as follows:

"Conformity with ~~State Statutes~~ Montana statutes: ~~Any provision of this policy which on its effective date is in conflict with the statutes of the state in which the insured resides on such date is hereby amended to conform to the minimum requirements of such statutes.~~ The provisions of this policy conform to the minimum requirements of Montana law and control over any conflicting statutes of any state in which the insured resides on or after the effective date of this policy."""

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: J. DeBruycker, Gervais, Quilici.
Total 3

Absent or not voting: Beck, Peck, Peterson.
Total 3

Representative Pavlovich moved SB 16, as amended, be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 91

Noes: Cohen, O'Keefe, Peck.
Total 3

Voted Absentee: J. DeBruycker, Aye.

Excused: Gervais, Quilici, Mr. Speaker.
Total 3

Absent or not voting: D. Brown, Driscoll, Peterson.
Total 3

SB 19 - Representative L. Nelson moved SB 19 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Forrester, Galvin, Gervais, Grady, S. J. Hansen, H. S. Hanson, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 72

Noes: Benedict, Bergsagel, Boharski, Clark, R. DeBruycker, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, T. Nelson, Peterson, Phillips, Simpkins, Spring, Thomas.
Total 27

Voted Absentee: J. DeBruycker, Gervais, Ayes.

Excused: Quilici.
Total 1

Absent or not voting: None.
Total 0

SB 51 - Representative Toole moved SB 51 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 91

Noes: Benedict, Boharski, D. Brown, R. DeBruycker, Phillips, Swysgood, Thoft, Wyatt.
Total 8

Voted Absentee: J. DeBruycker, Gervais, Ayes.

Excused: Quilici.
Total 1

Absent or not voting: None.
Total 0

SB 53 - Representative Pavlovich moved SB 53 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Beck, Benedict, Bergsagel, Bradley, D. Brown, J. Brown, Clark, Cobb, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Keller, Kilpatrick, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook.
Total 78

Noes: Barnett, Barnhart, Becker, Boharski, Brooke, Cocchiarella, Cohen, Dolezal, Dowell, S. J. Hansen, J. Johnson, Kadas, Kimberley, Lee, Measure, T. Nelson, Peck, Russell, Wanzenried.
Total 19

Voted Absentee: J. DeBruycker, Gervais, Ayes.

Excused: Quilici, Mr. Speaker.
Total 2

Absent or not voting: Kasten.
Total 1

SB 270 - Representative D. Brown moved SB 270 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cody, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wyatt, Zook.
Total 89

Noes: Barnhart, Cocchiarella, Davis, R. Johnson, Kimberley, Peck, Wanzenried, Whalen.
Total 8

Voted Absentee: J. DeBruycker, Gervais, Ayes.

Excused: Quilici, Mr. Speaker.
Total 2

Absent or not voting: S. Rice.
Total 1

SB 117 - Representative Larson moved SB 117 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Becker, Benedict, Bergsagel, Boharski, Bradley, J. Brown, Clark, Cocchiarella, Cody, Connelly, Daily, Davis, R. DeBruycker, Ellis, Ellison, Forrester, Gervais, Grady, M. Hanson, Hayne, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, McCaffree, McCarthy, McCulloch, Menahan, O'Keefe, Pavlovich, Peck, Peterson, Ream, Simpkins, Spring, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Whalen, Zook.
Total 49

Noes: Bardanouve, Barnhart, Beck, Brooke, D. Brown, Cobb, Cohen, Cromley, Dolezal, Dowell, Driscoll, Elliott, Fagg, Feland, Foster, Galvin, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, Kadas, Kasten, Lee, Madison, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Phillips, Raney, S. Rice, Russell, Schye, Scott, Southworth, Squires, Swysgood, Thoft, Thomas, Wanzenried, Wyatt, Mr. Speaker.
Total 47

Voted Absentee: Gervais, Aye.

Excused: J. DeBruycker, Quilici.
Total 2

Absent or not voting: Darko, J. Rice.
Total 2

SB 154 - Representative L. Nelson moved SB 154 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Bachini, Bergsagel, R. DeBruycker, Gilbert, H. S. Hanson, McCaffree, Peterson, Phillips.
Total 8

Voted Absentee: J. DeBruycker, Gervais, Ayes.

Excused: Quilici.
Total 1

Absent or not voting: Cocchiarella, Elliott, Harrington.
Total 3

SB 164 - Representative Stang moved SB 164 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 91

Noes: Bachini, Cody, J. DeBruycker, Madison, Nisbet, Peck, Wyatt.
Total 7

Voted Absentee: Gervais, Aye; J. DeBruycker, No.

Excused: Quilici.
Total 1

Absent or not voting: Strizich.
Total 1

SB 172 - Representative Lee moved SB 172 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Bachini, Cody, Connelly, Gilbert, Gould, Kasten, Messmore, Schye, Stickney.
Total 9

Voted Absentee: J. DeBruycker, Gervais, Ayes.

Excused: Quilici.
Total 1

Absent or not voting: None.
Total 0

SB 191 - Representative Steppler moved SB 191 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft,

Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Bachini.
Total 1

Voted Absentee: J. DeBruycker, Gervais, Ayes.

Excused: Quilici.
Total 1

Absent or not voting: Ellis, Ellison.
Total 2

Representative Darko moved the committee rise and the House recess until 1:00 p.m. Motion carried.

House recessed at 12:00 noon.

House reconvened at 1:00 p.m. Representative O'Keefe in the Chair.

SB 199 - Representative Measure moved SB 199, third reading copy, be amended as follows (amendment #1):

1. Title, line 10.
Following: "DISCRIMINATION;"
Insert: "EXTENDING THE TIME TO FILE ALL COMPLAINTS UNDER THE DISCRIMINATION LAWS TO BE CONSISTENT WITH THE TIME LIMITS FOR COMPLAINTS OF HOUSING DISCRIMINATION;"
Following: "PENALTIES;"
Strike: "AND"

2. Title, line 12.
Following: "~~49-3-304~~ 49-3-306,"
Insert: "49-3-904,"
Following: "MCA"
Insert: "; AND REPEALING SECTIONS 49-2-401 AND 49-3-105, MCA"

3. Page 2, lines 22 and 23.
Strike: "Except" on line 22 through "it" on line 23.
Insert: "It"

4. Page 2, line 24.
Following: "lessee,"
Insert: "or"
Following: "manager"
Strike: ","
Insert: "having the right to sell, lease, or rent a housing accommodation or improved or unimproved property"
Following: "or"
Insert: "for any"

5. Page 2, line 24 through page 3 line 1.
Strike: "having" on line 24 through "property" on line 1

6. Page 3, lines 16 and 17.
Following: "INQUIRY"
Strike: "FOR THE PURPOSE OF DISCRIMINATING ON THE BASIS"

7. Page 3, line 20.
Following: "RENT"
Strike: "THE"
Insert: "a"
Following: "PROPERTY"
Insert: "for the purpose of discriminating on the basis of sex, race, creed, religion, age, familial status, physical or mental handicap, color, or national origin"

8. Page 3, line 21.
Following: "or to"
Insert: "otherwise"
Following: "make"
Insert: "unavailable or deny"

9. Page 3, line 22.
Following: "property"
Strike: "unavailable"

10. Page 4.
Strike: lines 12 through 15 in their entirety
Insert: "(2) The rental of sleeping rooms in a private residence designed for single-family occupancy in which the lessor also resides is excluded from the provisions of subsection (1), provided that the lessor rents no more than three sleeping rooms within the residence."

11. Page 6, line 7.
Following: line 6
Insert: "(A) the housing accommodation has at least one accessible building entrance on an accessible route;"
Renumber: subsequent subsections

12. Page 6, line 10.
Following: "provides"
Insert: "that all"

13. Page 6, line 11.
Following: "accommodation"
Insert: "are"

14. Page 9, line 8.
Following: "of"
Strike: "this section"
Insert: "subsection (1)"

15. Page 10, line 8.
Following: "remedies"
Insert: "and injunctive and equitable relief"

16. Page 14, line 23.
Following: "remedies"
Insert: "and injunctive and equitable relief"

17. Page 16, line 18.
Following: "in"
Strike: "[SECTION 2] AND"

Page 16, line 19.
Strike: "OF THIS SECTION"

18. Page 16, line 21.
Following: "~~year~~"
Strike: "180 DAYS"
Insert: "1 year"

19. Page 17, line 3.
Strike: "180 DAYS"
Insert: "1 year"

20. Page 17, line 8.
Strike: "300"
Insert: "485"

21. Page 22.
Following: line 17
Insert: "Section 7. Section 49-3-304, MCA, is amended to read:

"49-3-304. Filing complaints. (1) Except as provided in subsection (2), a complaint under this chapter must be filed with the commission within ~~180 days~~ 1 year after the alleged unlawful discriminatory practice occurred or was discovered.

(2) If the complainant has initiated efforts to resolve the dispute underlying the complaint by filing a grievance in accordance with any grievance procedure established by a collective bargaining agreement, contract, or written rule or policy, the complaint may be filed within ~~180 days~~ 1 year after the conclusion of the grievance procedure if the grievance procedure concludes within 120 days after the alleged unlawful discriminatory practice occurred or was discovered. If the grievance procedure does not conclude within 120 days, the complaint must be filed within 300 days after the alleged unlawful discriminatory practice occurred or was discovered.

(3) A complaint not filed within the times set forth in this section may not be considered by the commission."
Renumber: subsequent sections

22. Page 25.
Following: line 17

Insert: "Section 11. Repealer. Sections 49-2-401 and 49-3-105, MCA, are repealed."
Renumber: subsequent section

Page 25, lines 22 and 25.
Strike: "8"
Insert: "9"

Amendment #1 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: Bachini, Barnett, Boharski, Cromley, R. DeBruycker, T. Nelson, Swysgood, Thoft, Wallin.
Total 9

Excused: J. DeBruycker, Gervais, J. Rice.
Total 3

Absent or not voting: Ellis, Hayne, Hoffman, Peterson, Phillips, Simpkins.
Total 6

Representative Measure moved SB 199, as amended, be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 83

Noes: Bachini, Benedict, Bergsagel, Boharski, R. DeBruycker, Elliott, Gilbert, Grinde, Swysgood, Thoft, Thomas, Wyatt.
Total 12

Voted Absentee: J. DeBruycker, Gervais, Ayes.

Excused: Hayne, Peterson, J. Rice.
Total 3

Absent or not voting: Hoffman, Simpkins.
Total 2

SB 205 - Representative Brooke moved SB 205 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Barnett, Bergsagel, Gilbert, Kasten, Spring, Steppler, Swysgood, Thoft, Wallin.
Total 9

Voted Absentee: J. DeBruycker, Gervais, Ayes.

Excused: J. Rice.
Total 1

Absent or not voting: Harrington, McCarthy.
Total 2

SB 99 - Representative Gilbert moved SB 99 be concurred in.

Representative D. Brown made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative D. Brown moved SB 99, third reading copy, be amended as follows (amendment #1):

1. Strike: House Natural Resources Committee report amendments dated March 21, 1991, in their entirety.

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker,

Dowell, Driscoll, Ellis, Ellison, Forrester, Foster, Galvin, Gervais, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Ream, S. Rice, Russell, Schye, Scott, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Tunby, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 74

Noes: Benedict, Cobb, Dolezal, Elliott, Fagg, Feland, Gilbert, Grinde, Knox, Lee, McCulloch, Measure, T. Nelson, Peterson, Raney, Simpkins, Southworth, Spring, Stang, Thomas, Toole, Wallin, Whalen.
Total 23

Voted Absentee: J. DeBruycker, Gervais, Ayes.

Excused: Cohen, J. Rice.
Total 2

Absent or not voting: Grady.
Total 1

Representative Bachini moved SB 99, third reading copy, be further amended (amendment #2). Amendment #2 failed as follows: (45-50)

Thereupon, SB 99, as amended, failed as follows:

Ayes: Becker, Benedict, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Connelly, Darko, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, M. Hanson, Kadas, Kasten, Knox, Larson, Lee, McCarthy, McCulloch, Measure, Menahan, Mercer, T. Nelson, O'Keefe, Raney, Ream, Russell, Schye, Simpkins, Southworth, Stang, Thomas, Toole, Tunby.
Total 47

Noes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Bergsagel, Bradley, Cobb, Cody, Cromley, Daily, Davis, J. DeBruycker, Dowell, Forrester, Galvin, Grady, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Madison, McCaffree, Messmore, L. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, S. Rice, Scott, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 51

Voted Absentee: Gervais, Aye; J. DeBruycker, No.

Excused: Cohen, J. Rice.
Total 2

Absent or not voting: None.
Total 0

SB 209 - Representative Gilbert moved SB 209 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 78

Noes: Bachini, Barnett, Benedict, Bergsagel, Cobb, Cody, Cromley, Daily, J. DeBruycker, Elliott, Fagg, H. S. Hanson, Hayne, R. Johnson, Kasten, McCaffree, L. Nelson, Pavlovich, Peck, Swysgood, Thoft.
Total 21

Voted Absentee: Gervais, Aye; J. DeBruycker, No.

Excused: J. Rice.
Total 1

Absent or not voting: None.
Total 0

SB 400 - Representative Cromley moved SB 400, third reading copy, be amended as follows (amendment #1):

1. Page 2, line 4.
Following: "(3)"
Strike: remainder of line 4 through "of" on line 5
Insert: "Any person"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Cohen.
Total 1

Excused: J. DeBruycker, Gervais, J. Rice.
Total 3

Absent or not voting: Forrester, Grinde, Harrington, Kadas, Russell, Simpkins, Swysgood.
Total 7

Representative Southworth moved SB 400, as amended, be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Bergsagel, Clark, Ellis, Hayne, Hoffman, Kasten, Peterson, Steppler, Swysgood.
Total 9

Voted Absentee: J. DeBruycker, Gervais, Ayes.

Excused: J. Rice.
Total 1

Absent or not voting: Gould, Grinde, Strizich, Whalen.
Total 4

SB 222 - Representative Cocchiarella moved SB 222 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang,

Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Bergsagel, Brooke, R. DeBruycker, Driscoll, Feland, H. S. Hanson, Knox, Lee, McCaffree, L. Nelson.
Total 10

Voted Absentee: Gervais, Aye.

Excused: J. DeBruycker, J. Rice.
Total 2

Absent or not voting: Grinde, Messmore, Steppler.
Total 3

SB 256 - Representative J. Rice moved SB 256, third reading copy, be amended (amendment #1). Amendment #1 failed as follows: (31-66)

Representative R. Johnson moved SB 256 be concurred in.

Representative Bachini made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Bachini moved SB 256, third reading copy, be amended (amendment #2). Amendment #2 failed as follows: (20-77)

Representative Driscoll moved to call for cloture. Motion carried.

Thereupon, SB 256 was concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, Peck, Peterson, Quilici, Raney, Ream, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen.
Total 74

Noes: Bachini, Benedict, Bergsagel, Boharski, J. Brown, Cobb, Daily, Davis, Ellison, Grady, Grinde, Hayne, Hoffman, Kadas, Kasten, O'Keefe, Pavlovich, Phillips, J. Rice, Schye, Steppler, Thomas, Wyatt, Zook, Mr. Speaker.
Total 25

Voted Absentee: J. DeBruycker, Gervais, Ayes.

Excused: None.
Total 0

Absent or not voting: T. Nelson.
Total 1

Representative Driscoll moved the committee rise and the House recess until 4:00 p.m. Motion carried.

House recessed at 3:10 p.m.

House reconvened at 4:00 p.m. Representative O'Keefe in the Chair.

SB 123 - Representative Grady moved SB 123 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: None.
Total 0

Voted Absentee: J. DeBruycker, Aye.

Excused: Gervais.
Total 1

Absent or not voting: Boharski, J. Brown, Connelly, Scott, Steppler, Whalen.
Total 6

Representative Bergsagel moved consideration of SB 189 and SB 195 be placed below SB 284 on the second reading board. Motion carried.

SB 273 - Representative Larson moved SB 273 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, R. DeBruycker, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye,

Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: Bachini, Bergsagel, J. DeBruycker, Dolezal, Galvin, Lee, McCaffree, Measure, L. Nelson, Nisbet, O'Keefe.
Total 11

Voted Absentee: J. DeBruycker, No.

Excused: Gervais.
Total 1

Absent or not voting: Boharski, Daily, Gilbert, Grinde, Pavlovich, S. Rice, Scott.
Total 7

SB 277 - Representative Whalen moved SB 277 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Kasten, Lee.
Total 2

Voted Absentee: J. DeBruycker, Aye.

Excused: Gervais.
Total 1

Absent or not voting: Cohen, Grinde, McCulloch, S. Rice, Swysgood.
Total 5

Representative Darko moved consideration of SB 17 be placed at the top of the second reading board. Motion carried.

SB 17 - Representative Kadas moved SB 17, third reading copy, be amended (amendment #1).

Representative Daily moved to call for cloture. Motion carried.

Amendment #1 failed as follows: (30-70)

Representative Darko moved SB 17, third reading copy, be amended as follows (amendment #2):

1. Page 22, line 13.
Following: "TO"
Strike: "FUND"
Insert: "reduce"

2. Page 22, line 14.
Following: "OR"
Insert: "to reduce"

Amendment #2 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: J. DeBruycker, Gervais, Messmore, Swysgood.
Total 4

Absent or not voting: Daily, Elliott, Grinde, Pavlovich.
Total 4

Representative Darko moved SB 17, as amended, be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires,

Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Cobb, R. DeBruycker, Ellison, Lee.
Total 4

Voted Absentee: J. DeBruycker, Gervais, Messmore, Ayes.

Excused: Swysgood.
Total 1

Absent or not voting: Clark, Phillips, Spring.
Total 3

SB 284 - Representative Stickney moved SB 284 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Bergsagel, Clark, R. DeBruycker, Ellison, R. Johnson, Peterson, Spring.
Total 7

Voted Absentee: J. DeBruycker, Messmore, Ayes.

Excused: Gervais, Swysgood.
Total 2

Absent or not voting: Bardanouve, Phillips.
Total 2

SB 189 - Representative Gilbert moved SB 189 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Knox, Larson,

Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 86

Noes: Bergsagel, Cobb, Cohen, Hoffman, Kasten, Measure, Peterson.
Total 7

Voted Absentee: Messmore, Aye.

Excused: J. DeBruycker, Gervais, Swysgood.
Total 3

Absent or not voting: Grinde, Kimberley, Phillips, Mr. Speaker.
Total 4

Representative Gilbert moved consideration of SB 195 be placed at the bottom of the second reading board. Motion carried.

SB 287 - Representative Stang moved SB 287 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Becker, Benedict, Bergsagel, Boharski, Bradley, J. Brown, Clark, Cobb, Cody, Cohen, Connelly, Cromley, Darko, Davis, R. DeBruycker, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCaffree, Measure, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 75

Noes: Beck, Brooke, Cocchiarella, Daily, Dolezal, Forrester, S. J. Hansen, Harrington, Kadas, McCarthy, McCulloch, Menahan, Nisbet, Pavlovich, Quilici, Schye, Steppler.
Total 17

Voted Absentee: Gervais, Messmore, Ayes.

Excused: J. DeBruycker, Swysgood.
Total 2

Absent or not voting: Bardanouve, D. Brown, Driscoll, Madison, Phillips, Whalen.
Total 6

Representative Southworth moved consideration of SB 301 be placed below SB 362 on the second reading board. Motion carried.

SB 303 - Representative Gilbert moved SB 303 be concurred in.

Representative Daily moved to call for cloture. Motion carried.

Thereupon, SB 303 passed as follows:

Ayes: Bardanouve, Barnhart, Becker, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Cromley, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCulloch, Measure, Menahan, T. Nelson, Nisbet, O'Keefe, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wallin, Wanzenried, Wyatt, Mr. Speaker.
Total 52

Noes: Bachini, Barnett, Beck, Benedict, Bergsagel, Boharski, D. Brown, Clark, Cobb, Cody, Connelly, Daily, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Feland, Foster, Galvin, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, McCarthy, Mercer, Messmore, L. Nelson, Pavlovich, Peck, Peterson, Quilici, Scott, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 44

Voted Absentee: Gervais, Aye; J. DeBruycker, Messmore, Swysgood, Noes.

Excused: None.
Total 0

Absent or not voting: McCaffree, Phillips, Simpkins, Whalen.
Total 4

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman O'Keefe moved the adoption of the committee report.

Representative Gilbert made a substitute motion SB 99 be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion failed. (41-52)

Thereupon, the report was adopted. (75-15)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/5/91
Signed by the Speaker at 11:30 a.m., 4/5/91: HB 741.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/5/91

HB 133, introduced by Galvin
HB 301, introduced by Wanzenried
HB 377, introduced by Raney
HB 547, introduced by M. Hanson

HB 594, introduced by Gould
HB 596, introduced by O'Keefe
HB 646, introduced by Madison
HB 659, introduced by T. Nelson
HB 667, introduced by Darko
HB 690, introduced by Harper
HB 785, introduced by Messmore
HB 814, introduced by Thoft
HB 875, introduced by Whalen
HB 877, introduced by Ream
HB 893, introduced by Kasten
HB 899, introduced by Cocchiarella
HB 953, introduced by S. Rice

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/5/91

HB 152, introduced by Harrington
HB 187, introduced by Driscoll
HB 192, introduced by Wanzenried
HB 233, introduced by Bardanouve
HB 360, introduced by Harper
HB 417, introduced by Elliott
HB 494, introduced by O'Keefe
HB 643, introduced by Squires
HB 660, introduced by Cohen
HB 668, introduced by Darko
HB 730, introduced by D. Brown
HB 747, introduced by Lee
HB 761, introduced by Peck
HB 773, introduced by Stickney
HB 807, introduced by R. Johnson
HB 837, introduced by Driscoll
HB 847, introduced by Lee
HB 882, introduced by Russell
HB 891, introduced by Stickney
HB 908, introduced by Harper
HB 909, introduced by D. Brown
HB 924, introduced by Measure
HB 930, introduced by Whalen
HB 942, introduced by G. Beck
HB 987, introduced by Cromley
HB 988, introduced by Cromley

House bills not concurred in and returned to the House: 4/2/91

HB 141, introduced by Harrington
HB 375, introduced by Hansen
HB 637, introduced by Becker

House bill not concurred in and returned to the House: 4/3/91

HB 28, introduced by H.S. Hanson

HB 353, introduced by Strizich, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted on 4/5/91 to the House with the following vote:

YEAS - 48
NAYS - 2

Senate bill passed and transmitted to the House for concurrence: 4/5/91

SJR 27, introduced by Gage

Governor's amendments concurred in: 4/5/91

SB 120, introduced by B. Brown
SB 310, introduced by Yellowtail

Free conference committee report No. 1 on Senate amendments to HB 782 adopted: 4/5/91

MOTIONS

Representative Driscoll moved the rules be suspended to allow consideration of all Senate bills on second reading this date be voted on second and third readings on the 73rd legislative day. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 8:00 a.m., Saturday, April 6, 1991. Motion carried.

House adjourned at 6:10 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

SEVENTY-THIRD LEGISLATIVE DAY

Helena, Montana
April 6, 1991

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Brooke. Pledge of Allegiance to the Flag.

Roll call. All members present except J. DeBruycker, Pavlovich, Phillips, Swysgood, Whalen, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/6/91
Correctly engrossed: SB 16, SB 17, SB 19, SB 51, SB 53, SB 117, SB 123, SB 154, SB 164, SB 172, SB 189, SB 191, SB 199, SB 205, SB 209, SB 222, SB 256, SB 270, SB 273, SB 277, SB 284, SB 287, SB 303, SB 400.
Signed by the Speaker at 7:30 a.m., 4/6/91: SB 1.

MESSAGES FROM THE SENATE

The Senate, on 3/28/91, failed to concur in House amendments to SB 440 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 440.

President Mazurek appointed the following members:

Senator Bengtson, Chairman
Senator Waterman
Senator Harding

The Senate, on 3/28/91, failed to concur in House amendments to SB 441 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 441.

President Mazurek appointed the following members:

Senator Yellowtail, Chairman
Senator Mazurek
Senator B. Brown

The Senate, on 3/28/91, failed to concur in House amendments to SB 251 and appointed a free conference committee, requesting the House appoint a like committee to confer on SB 251.

President Mazurek appointed the following members:

Senator Pipinich, Chairman
Senator Hockett
Senator Gage

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bill was introduced, read first time, and referred to committee:

SJR 27, introduced by Gage, referred to Committee on Education and Cultural Resources

MOTIONS

Representative Driscoll moved the House accede to the request of the Senate to appoint a free conference committee to meet with a like committee from the Senate to confer on SB 251. Motion carried.

Representative Driscoll moved the House accede to the request of the Senate to appoint conference committees to meet with like committees from the Senate to confer on House amendments to SB 440 and SB 441. Motion carried.

Representative Driscoll moved the House recess until 8:55 a.m. Motion carried.

House recessed at 8:10 a.m.

House reconvened at 8:55 a.m. Mr. Speaker in the Chair.

MESSAGES FROM THE SENATE

The Senate, on 4/5/91, dissolved the conference committee on SB 171 and appointed a free conference committee to meet with a like committee from the House to confer on SB 171.

President Mazurek appointed the following members:

Senator Svrcek, Chairman
Senator Weeding
Senator Rye

MOTIONS

Representative Driscoll moved the House dissolve the conference committee on House amendments to SB 171 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on SB 171. Motion carried.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hoffman in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 195 - Representative H.S. Hanson moved SB 195, third reading copy, be amended as follows (amendment #1):

1. Page 2, line 13.
Strike: "POSSESSION OF THE COUNTY"
Insert: "county clerk and recorder's office"

2. Page 8, line 16.
Following: line 15
Insert: "(16) "Public record" means any record or other written material in the county clerk and recorder's office."

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cohen, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: Benedict, Cody, Connelly, Foster, Measure, Raney.
Total 6

Excused: J. DeBruycker, Elliott, Pavlovich, Phillips, Swysgood, Whalen.
Total 6

Absent or not voting: Cocchiarella, Ellis, Kadas, L. Nelson, Steppler.
Total 5

Representative Gilbert moved SB 195, as amended, be concurred in. Representative Gilbert made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Connelly moved consideration of SB 195 be placed below SB 377 on the second reading board. Motion carried.

SB 301 - Representative Southworth moved SB 301 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, R. DeBruycker, Dolezal, Driscoll, Elliott, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Simpkins, Southworth, Squires, Stickney, Strizich, Tunby, Wallin, Wanzenried, Whalen, Mr. Speaker.
Total 59

Noes: Bardanouve, Barnett, Becker, Benedict, Bergsagel, Cromley, Dowell, Ellis, Fagg, Feland, Forrester, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, McCulloch, Mercer, T. Nelson, Peterson, J. Rice, Scott, Spring, Stang, Thoft, Thomas, Toole, Wyatt, Zook.
Total 35

Voted Absentee: Elliott, Whalen, Ayes.

Excused: J. DeBruycker, Ellison, Pavlovich, Phillips, Swysgood.
Total 5

Absent or not voting: Steppler.
Total 1

SB 313 - Representative Nisbet moved consideration of SB 313 be placed below SB 389 on the second reading board. Motion carried.

SB 314 - Representative Clark moved SB 314 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: J. DeBruycker.
Total 1

Voted Absentee: Elliott, Ellison, Whalen, Ayes; J. DeBruycker, No.

Excused: Pavlovich, Phillips, Swysgood.
Total 3

Absent or not voting: Spring.
Total 1

SB 326 - Representative Messmore moved SB 326, third reading copy, be amended (amendment #1). Amendment #1 failed as follows: (43-47)

Representative J. Brown moved SB 326 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Bergsagel, R. DeBruycker, Feland, Kasten.
Total 4

Voted Absentee: J. DeBruycker, Whalen, Ayes.

Excused: Elliott, Ellison, Pavlovich, Phillips, Swysgood.
Total 5

Absent or not voting: S. J. Hansen.
Total 1

SB 330 - Representative Bradley moved SB 330 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Kadas, McCaffree, Southworth.
Total 3

Voted Absentee: Swysgood, Whalen, Ayes.

Excused: J. DeBruycker, Elliott, Ellison, Pavlovich, Phillips.
Total 5

Absent or not voting: Toole.
Total 1

SB 363 - Representative Bradley moved SB 363 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Quilici, Raney, Ream, S. Rice, Schye, Scott, Simpkins, Spring, Squires, Stang, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 77

Noes: Barnett, Boharski, Cohen, R. DeBruycker, J. Johnson, Kadas, Kilpatrick, Kimberley, Lee, Measure, J. Rice, Russell, Southworth, Steppler, Stickney, Tunby.
Total 16

Voted Absentee: J. DeBruycker, Swysgood, Whalen, Ayes.

Excused: Elliott, Ellison, Pavlovich, Phillips.
Total 4

Absent or not voting: Connelly, Foster, Grady.
Total 3

SB 362 - Representative Grady moved SB 362 be concurred in. Motion failed as follows:

Ayes: Barnett, Barnhart, Benedict, Bradley, D. Brown, Clark, Cody, Daily, Darko, R. DeBruycker, Ellis, Ellison, Foster, Gould, Grady, Grinde, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, McCaffree, Nisbet, O'Keefe, Peterson, Quilici, J. Rice, Schye, Simpkins, Spring, Stickney, Strizich, Thomas, Tunby, Wallin, Zook.
Total 41

Noes: Bachini, Beck, Becker, Bergsagel, Boharski, Brooke, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, S. J. Hansen, H. S. Hanson, Harrington, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Raney, Ream, Russell, Scott, Southworth, Squires, Stang, Steppler, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 51

Voted Absentee: Ellison, Aye; J. DeBruycker, Whalen, Noes.

Excused: Elliott, Pavlovich, Phillips, Swysgood.
Total 4

Absent or not voting: Bardanouve, Kadas, S. Rice, Thoft.
Total 4

SB 366 - Representative Russell moved SB 366 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Grinde, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 66

Noes: Barnett, Benedict, Bergsagel, Boharski, J. Brown, Clark, R. DeBruycker, Ellis, Feland, Foster, Gilbert, Gould, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, T. Nelson, Peterson, Simpkins, Spring, Thomas, Wallin, Zook.
Total 28

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Ellison, Phillips, Swysgood.
Total 3

Absent or not voting: Grady, S. J. Hansen, Thoft.
Total 3

SB 377 - Representative Grady moved SB 377 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: R. DeBruycker.
Total 1

Voted Absentee: J. DeBruycker, Whalen, Ayes.

Excused: Bradley, Ellison, Pavlovich, Phillips, Swysgood.
Total 5

Absent or not voting: Gervais, Strizich, Thoft.
Total 3

SB 195 - Representative Gilbert moved SB 195, third reading copy, be further amended as follows (amendment #2):

1. Title, line 10.
Following: ";"
Insert: "REMOVING CERTAIN EXEMPTIONS AND CERTAIN CRITERIA FOR REVIEW;"

2. Title, line 11.
Following: "76-3-103,"
Insert: "76-3-104,"
Strike: "AND"
Following: "76-3-609,"
Insert: "76-4-102, AND 76-4-103,"
Following: "MCA"
Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 6, lines 23 and 24.
Strike: subsection (7) in its entirety
Renumber: subsequent subsections

4. Page 8, line 4.
Strike: "so"

5. Page 8, lines 5 and 6.
Strike: "which" on line 5
Insert: "in a manner that"
Strike: "containing" on line 5 through "acres" on line 6

6. Page 8, line 8.
Following: "conveyed"
Strike: "and shall include"
Insert: ". The term includes"

7. Page 8, line 9.
Strike: "shall further include"

8. Page 8, line 10.
Strike: "which"
Insert: "that"

9. Page 8, line 11.
Strike: "space"
Insert: "spaces"
Following: "for"
Insert: "dwellings,"
Following: "vehicles"

Insert: ","
Strike: "or"

10. Page 8, line 12.
Following: "homes"
Insert: ", or work camp structures to exist for more than 1 year"

11. Page 8.
Following: line 15
Insert: "Section 4. Section 76-3-104, MCA, is amended to read:

"76-3-104. What constitutes subdivision. A subdivision ~~shall comprise~~ comprises only those parcels ~~less than 20 acres which have been~~ that would be segregated from the original tract, and the plat ~~thereof shall~~ of the subdivision must show all such parcels, whether contiguous or not.""
Renumber: subsequent sections

12. Page 9, lines 12 and 13.
Strike: subsection (1)(d) in its entirety
Renumber: subsequent subsections

13. Page 13, lines 3 and 4.
Strike: subsection (1)(a) and (1)(b) in their entirety
Renumber: subsequent subsections

14. Page 14.
Following: line 15
Insert: "Section 9. Section 76-4-102, MCA, is amended to read:

"76-4-102. Definitions. As used in this part, unless the context clearly indicates otherwise, the following words or phrases have the following meanings:

(1) "Board" means the board of health and environmental sciences.

(2) "Department" means department of health and environmental sciences.

(3) "Extension of public sewage disposal system" means a sewer line that connects two or more sewer service lines to a sewer main.

(4) "Extension of public water supply system" means a water line that connects two or more water service lines to a water main.

(5) "Facilities" means public or private facilities for the supply of water or disposal of sewage or solid waste and any pipes, conduits, or other stationary method by which water, sewage, or solid wastes might be transported or distributed.

(6) "Public water supply system" or "public sewage disposal system" means, respectively, a water supply or sewage disposal system that serves 10 or more families or 25 or more persons for at least 60 days out of the calendar year.

(7) "Registered professional engineer" means a person licensed to practice as a professional engineer under Title 37, chapter 67.

(8) "Registered sanitarian" means a person licensed to practice as a sanitarian under Title 37, chapter 40.

(9) "Reviewing authority" means the department or a local department or board of health certified to conduct review under 76-4-104.

(10) "Sanitary restriction" means a prohibition against the erection of any dwelling, shelter, or building requiring facilities for the supply of water or the disposition of sewage or solid waste or the construction of water supply or sewage or solid waste disposal facilities until the department has approved plans for those facilities.

(11) "Sewer service line" means a sewer line that connects a single building or living unit to a public sewer system or extension of such a system.

(12) "Solid wastes" means all putrescible and nonputrescible solid wastes (except body wastes), including garbage, rubbish, street cleanings, dead animals, yard clippings, and solid market and solid industrial wastes.

(13) "Subdivision" ~~means a division of land or land so divided which creates one or more parcels containing less than 20 acres, exclusive of public roadways, in order that the title to or possession of the parcels may be sold, rented, leased, or otherwise conveyed and includes any resubdivision and any condominium or area, regardless of size, which provides permanent multiple space for recreational camping vehicles or mobile homes~~ has the meaning given in 76-3-103.

(14) "Water service line" means a water line that connects a single building or living unit to a public water system or extension of such a system."

Section 10. Section 76-4-103, MCA, is amended to read:

"76-4-103. What constitutes subdivision. A subdivision ~~shall comprise~~ comprises only those parcels ~~of less than 20 acres which~~ that have been created by a division of land, and the plat ~~thereof shall~~ of the subdivision must show all such parcels, whether contiguous or not. The rental or lease of one or more parts of a building, structure, or other improvement, whether existing or proposed, is not a subdivision, as that term is defined in this part, and is not subject to the requirements of this part."

NEW SECTION. Section 11. Effective date. [This act] is effective on passage and approval."

Amendment #2 passed as follows:

Ayes: Bardanouve, Barnhart, Becker, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, Harrington, J. Johnson, Kimberley, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Messmore, O'Keefe, Raney, Ream, S. Rice, Russell, Schye, Southworth, Spring, Squires, Stang, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Mr. Speaker.
Total 51

Noes: Bachini, Barnett, Beck, Benedict, Bergsagel, Boharski, D. Brown, Clark, Cobb, Cody, Connelly, Cromley, Daily, J. DeBruycker, R. DeBruycker, Ellis, Foster, Gould, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kilpatrick, Knox, McCarthy, Mercer, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Scott, Simpkins, Swysgood, Thoft, Thomas, Tunby, Wyatt, Zook.
Total 45

Voted Absentee: Bradley, Whalen, Ayes; J. DeBruycker, Pavlovich, Phillips, Swysgood, Noes.

Excused: Steppler.
Total 1

Absent or not voting: Galvin, Kadas, J. Rice.
Total 3

Representative Grinde in the Chair at this time.

Thereupon, SB 195, as amended, failed as follows:

Ayes: Bardanouve, Barnhart, Becker, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Darko, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Gilbert, Grinde, S. J. Hansen, Harrington, J. Johnson, Kadas, Kimberley, Larson, Lee, Madison, McCulloch, Measure, Menahan, Messmore, O'Keefe, Raney, Ream, S. Rice, Schye, Southworth, Squires, Stang, Steppler, Stickney, Toole, Wallin, Wanzenried, Whalen, Mr. Speaker.
Total 45

Noes: Bachini, Barnett, Beck, Benedict, Bergsagel, Boharski, D. Brown, Clark, Cobb, Cody, Connelly, Cromley, Daily, Davis, J. DeBruycker, R. DeBruycker, Ellis, Feland, Foster, Galvin, Gervais, Gould, Grady, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kilpatrick, Knox, McCaffree, McCarthy, Mercer, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, J. Rice, Russell, Scott, Simpkins, Spring, Strizich, Swysgood, Thoft, Thomas, Tunby, Wyatt, Zook.
Total 55

Voted Absentee: Bradley, Whalen, Ayes; J. DeBruycker, Pavlovich, Phillips, Swysgood, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 379 - Representative McCarthy moved SB 379 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg,

Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: Barnhart, Bergsagel, R. DeBruycker, Elliott, Gilbert, Kadas, Kasten, McCaffree, L. Nelson.
Total 9

Voted Absentee: Whalen, Aye.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Swysgood.
Total 5

Absent or not voting: Boharski, M. Hanson, Southworth, Steppler, Thoft.
Total 5

SB 386 - Representative Knox moved SB 386 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Quilici, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Bergsagel, Cobb, Peterson, Raney.
Total 4

Voted Absentee: Ellison, Steppler, Whalen, Ayes.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Swysgood.
Total 5

Absent or not voting: Boharski, Cromley, McCarthy, S. Rice, Thoft.
Total 5

SB 389 - Representative Forrester moved SB 389 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: None.
Total 0

Voted Absentee: Steppler, Whalen, Ayes.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood.
Total 6

Absent or not voting: Boharski, D. Brown, Driscoll, Ellison, M. Hanson, Thoft.
Total 6

SB 313 - Representative Raney moved SB 313, third reading copy, be amended as follows (amendment #1):

1.Amend the House Committee on Natural Resources report dated 23 March, 1991 as follows:
Strike: amendments 1 and 2.

2. Amend Senate Bill 313 (third reading copy -- blue) as follows:
1. Title, line 14.
Following: line 13
Insert: "REQUIRING A STUDY OF THE FEASIBILITY OF COLLECTING LARGER FEES FROM CONSUMPTIVE WATER USERS WHO BENEFIT FROM THE DEVELOPMENT OF NEW STATE-OWNED WATER STORAGE PROJECTS OR FROM THE REHABILITATION OF EXISTING STATE-OWNED WATER STORAGE PROJECTS;"

2. Page 7, line 8.
Following: line 7
Insert: "NEW SECTION. Section 6. Study of water user fees. (1) The department of natural resources and conservation shall conduct and coordinate a study to assess the feasibility of increasing the fees charged to diversionary water users to assist in the repayment of a greater portion of new state-owned water storage projects' costs or existing state-owned water storage projects' rehabilitation

costs. This study should include a historical analysis of existing state-owned water storage projects' costs and associated fees.
(2) A written report of the study findings must be submitted to the water policy committee by July 1, 1992."
Renumber: subsequent sections

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: R. DeBruycker, Feland, McCaffree, L. Nelson, Steppler.
Total 5

Voted Absentee: Phillips, Swysgood, Ayes; Steppler, No.

Excused: Bradley, J. DeBruycker, Pavlovich, Quilici, Whalen.
Total 5

Absent or not voting: Grinde, M. Hanson, Simpkins, Thoft.
Total 4

Representative Schye moved SB 313, as amended, be concurred in. Motion carried as follows:

Ayes: Barnett, Beck, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kimberley, Knox, Lee, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 81

Noes: Bachini, Bardanouve, Barnhart, Becker, Connelly, S. J. Hansen, Kadas, Kilpatrick, Larson, Madison, Measure, O'Keefe, Peck, Raney, Ream, Wyatt.
Total 16

Voted Absentee: J. DeBruycker, Pavlovich, Phillips, Steppler, Swysgood, Whalen, Ayes.

Excused: Bradley, Quilici.
Total 2

Absent or not voting: Hoffman.
Total 1

SB 393 - Representative Messmore moved SB 393, third reading copy, be amended as follows (amendment #1):

1. Amend the House committee on Human Services and Aging amendments, dated March 23, 1991, as follows:

Strike: amendment #3 and replace with:

3. Page 5, lines 10 through 22.
Following: line 9
Strike: lines 10 through 22 in their entirety

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: None.
Total 0

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Steppler, Swysgood, Whalen.
Total 8

Absent or not voting: Becker, Daily, Elliott, Grinde, Hoffman, Kadas, McCarthy, Simpkins.
Total 8

Representative Messmore moved SB 393, as amended, be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb,

Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: McCaffree, Peck.
Total 2

Voted Absentee: Whalen, Aye.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Steppler, Swysgood.
Total 7

Absent or not voting: Elliott, Hoffman.
Total 2

SB 394 - Representative McCulloch moved SB 394 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peterson, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: Benedict, Bergsagel, Grady, McCaffree, Mercer, Peck, Raney.
Total 7

Voted Absentee: Steppler, Whalen, Ayes.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood.
Total 6

Absent or not voting: Bardanouve, Boharski, Kasten, Squires.
Total 4

Representative Hoffman resumed the Chair at this time.

SB 395 - Representative Davis moved SB 395 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: None.
Total 0

Voted Absentee: J. DeBruycker, Whalen, Ayes.

Excused: Bradley, Pavlovich, Phillips, Quilici, Steppler, Swysgood.
Total 6

Absent or not voting: Grady, Grinde, Kadas, Simpkins.
Total 4

SB 409 - Representative Darko moved consideration of SB 409 be placed below SB 174 on the second reading board. Motion carried.

SB 420 - Representative Benedict moved SB 420 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Boharski.
Total 1

Voted Absentee: Steppler, Whalen, Ayes.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood.
Total 6

Absent or not voting: Ellison, Grady.
Total 2

SB 425 - Representative Ream moved SB 425, third reading copy, be amended as follows (amendment #1):

1. Page 6, line 13.
Following: "designate"
Strike: "no more than ~~five~~ 10"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Mr. Speaker.
Total 75

Noes: Barnett, Benedict, Clark, R. DeBruycker, Ellis, Ellison, Feland, Grinde, M. Hanson, Hoffman, Keller, McCaffree, Spring, Thoft, Zook.
Total 15

Voted Absentee: Bradley, Aye.

Excused: J. DeBruycker, Pavlovich, Phillips, Quilici, Steppler, Swysgood, Whalen.
Total 7

Absent or not voting: McCulloch, L. Nelson, Stang.
Total 3

Representative Gilbert moved SB 425, as amended, be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins,

Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Barnett, Cobb, R. DeBruycker, Feland, Hoffman, Spring, Thoft.
Total 7

Voted Absentee: Steppler, Whalen, Ayes.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood.
Total 6

Absent or not voting: None.
Total 0

SB 434 - Representative O'Keefe moved SB 434 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Knox.
Total 1

Voted Absentee: Pavlovich, Steppler, Swysgood, Whalen, Ayes.

Excused: Bradley, J. DeBruycker, Phillips, Quilici.
Total 4

Absent or not voting: Boharski, Lee, Simpkins.
Total 3

SB 437 - Representative Boharski moved SB 437, third reading copy, be amended as follows (amendment #1):

1. Page 2, lines 3 through 6.
Strike: subsection (b) in its entirety
Insert: "(b) The fees established in this subsection may not exceed the following limits:

(i) $25 for residential permits not requiring a variance from the local governing authority;

(ii) $60 for residential permits requiring a variance from the local governing authority;

(iii) $60 for commercial permits not requiring a variance from the local governing authority; and

(iv) $150 for commercial permits requiring a variance from the local governing authority."

Amendment #1 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Cromley, Dowell, Forrester.
Total 3

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Steppler, Swysgood, Whalen.
Total 8

Absent or not voting: Bardanouve, Grady, Hayne, Lee, J. Rice.
Total 5

Representative Boharski moved SB 437, as amended, be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Benedict, Cobb.
Total 2

Voted Absentee: Whalen, Aye.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Steppler, Swysgood.
Total 7

Absent or not voting: Grady, Lee, L. Nelson, J. Rice.
Total 4

SB 456 - Representative Russell moved SB 456 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, Peck, Peterson, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 79

Noes: Bergsagel, Boharski, R. DeBruycker, M. Hanson, Knox, Lee, McCaffree, L. Nelson, O'Keefe.
Total 9

Voted Absentee: Whalen, Aye.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Steppler, Swysgood.
Total 7

Absent or not voting: Becker, D. Brown, Driscoll, Feland, J. Rice.
Total 5

SB 178 - Representative Wanzenried moved SB 178 be concurred in. Motion carried as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, D. Brown, J. Brown, Clark, Cobb, Cody, Cohen, Connelly, Cromley, Daily, Davis, R. DeBruycker, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, Peterson, Ream, Russell, Scott, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 75

Noes: Bachini, Brooke, Cocchiarella, Darko, Dolezal, Galvin, Lee, L. Nelson, O'Keefe, Peck, Raney, S. Rice, Schye, Southworth, Toole.
Total 15

Voted Absentee: Whalen, Aye.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Steppler, Swysgood.
Total 7

Absent or not voting: Bardanouve, Feland, J. Rice.
Total 3

SJR 16 - Representative Thomas moved SJR 16 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Barnhart, O'Keefe.
Total 2

Voted Absentee: Whalen, Aye.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Steppler, Swysgood.
Total 7

Absent or not voting: Elliott, Feland.
Total 2

SJR 17 - Representative Southworth moved SJR 17 be concurred in. Representative Gould made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Gould moved SJR 17, third reading copy, be amended as follows (amendment #1):

Page 1, line 23.
Strike: "."
Insert: "; and"

1. Page 1, line 24.
Following: line 23

Insert: "WHEREAS, because the blind should be able to enjoy the sensation of square dancing, braille square dancing must also fall under this joint resolution; braille square dancing must be done in old-fashioned costumes, as close to Adam and Eve as possible, so that the blind may determine if gender balance is achieved and maintained."

Amendment #1 passed as follows:

Ayes: Bardanouve, Barnett, Beck, Becker, Benedict, Boharski, Brooke, D. Brown, Clark, Cocchiarella, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Driscoll, Ellis, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Zook.
Total 61

Noes: Bachini, Barnhart, Bergsagel, J. Brown, Cobb, Cody, Cohen, Dowell, Elliott, Feland, S. J. Hansen, M. Hanson, Kasten, Kilpatrick, Knox, Lee, Measure, Mercer, T. Nelson, Ream, J. Rice, Tunby, Wallin, Wanzenried, Wyatt, Mr. Speaker.
Total 26

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood, Whalen.
Total 7

Absent or not voting: Ellison, Fagg, Grinde, Kadas, S. Rice, Simpkins.
Total 6

Thereupon, SJR 17, as amended, was concurred in as follows:

Ayes: Beck, Benedict, Brooke, D. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Driscoll, Ellis, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, Peck, Ream, S. Rice, Russell, Southworth, Spring, Squires, Stang, Stickney, Thoft, Thomas, Toole, Tunby, Zook.
Total 52

Noes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Bergsagel, Boharski, J. Brown, Clark, Cody, R. DeBruycker, Dowell, Elliott, Ellison, Foster, M. Hanson, Kadas, Kasten, Knox, Lee, Measure, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peterson, Raney, J. Rice, Schye, Scott, Steppler, Strizich, Wallin, Wanzenried, Wyatt, Mr. Speaker.
Total 37

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood, Whalen.
Total 7

Absent or not voting: Fagg, Grady, Grinde, Simpkins.
Total 4

SJR 18 - Representative Daily moved SJR 18 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Feland, Forrester, Foster, Galvin, Gervais, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Gilbert.
Total 1

Voted Absentee: Pavlovich, Swysgood, Whalen, Ayes.

Excused: Bradley, J. DeBruycker, Phillips, Quilici.
Total 4

Absent or not voting: Bardanouve, Fagg, Grady, Grinde, S. Rice, Stang.
Total 6

SJR 20 - Representative Russell moved SJR 20 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 78

Noes: Barnett, Bergsagel, Clark, R. DeBruycker, Feland, H. S. Hanson, Kasten, Keller, L. Nelson, Peterson, Spring, Thomas, Wallin.
Total 13

Voted Absentee: Whalen, Aye.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood.
Total 6

Absent or not voting: Fagg, Grady, Thoft.
Total 3

SJR 21 - Representative Strizich moved consideration of SJR 21 be placed below SB 229 on the second reading board. Motion carried.

SJR 23 - Representative McCaffree moved SJR 23 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Cobb, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Peck, Ream, J. Rice, Russell, Schye, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 72

Noes: Barnett, Boharski, Clark, Cocchiarella, Ellis, Fagg, M. Hanson, Hayne, R. Johnson, Kasten, Keller, T. Nelson, Peterson, Raney, Scott, Spring, Steppler, Thomas.
Total 18

Voted Absentee: J. DeBruycker, Whalen, Ayes.

Excused: Bradley, Pavlovich, Phillips, Quilici, Swysgood.
Total 5

Absent or not voting: Ellison, Grinde, S. Rice, Thoft, Zook.
Total 5

SJR 24 - Representative O'Keefe moved SJR 24 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: None.
Total 0

Voted Absentee: Swysgood, Whalen, Ayes.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici.
Total 5

Absent or not voting: Grady, Grinde, Thoft.
Total 3

SJR 25 - Representative Southworth moved SJR 25 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: Cobb, Feland, Raney, Scott, Spring, Steppler.
Total 6

Voted Absentee: Whalen, Aye.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood.
Total 6

Absent or not voting: Cocchiarella, Dolezal, Grady, Grinde, Thoft.
Total 5

SB 37 - Representative J. Rice moved SB 37 be concurred in.

Representative Daily moved to call for cloture. Motion carried.

Thereupon, SB 37 was concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Galvin, Gervais, Gilbert, Grinde, S. J. Hansen, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler,

Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 75

Noes: Bergsagel, Boharski, Cobb, Cohen, R. DeBruycker, Elliott, Feland, Foster, Gould, Grady, H. S. Hanson, Harrington, Kasten, Knox, Lee, Mercer, L. Nelson, Stang, Wyatt.
Total 19

Voted Absentee: Whalen, Aye.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood.
Total 6

Absent or not voting: None.
Total 0

SB 82 - Representative Peck moved SB 82 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellison, Forrester, Galvin, Gilbert, Gould, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 64

Noes: Barnett, Bergsagel, Boharski, Clark, Cobb, Cody, R. DeBruycker, Ellis, Feland, Foster, Gervais, Grinde, H. S. Hanson, M. Hanson, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, L. Nelson, Simpkins, Steppler, Thomas.
Total 24

Voted Absentee: Whalen, Aye.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood.
Total 6

Absent or not voting: Benedict, Fagg, Grady, S. J. Hansen, Hayne, Messmore.
Total 6

SB 105 - Representative Wyatt moved SB 105 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J.

Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 80

Noes: Bergsagel, Boharski, Ellison, Feland, Kadas, Lee, McCaffree, Measure, T. Nelson, Spring, Thoft.
Total 11

Voted Absentee: Whalen, Aye.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood.
Total 6

Absent or not voting: Grady, S. J. Hansen, Wallin.
Total 3

Representative Gilbert moved the House reconsider its action on SB 195 taken on second reading this legislative day and that SB 195 be placed at the top of the second reading board. Motion carried as follows: (58-38)

SB 195 - Representative Gilbert moved SB 195, as amended, be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Cromley, Darko, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Galvin, Gilbert, Grinde, S. J. Hansen, M. Hanson, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Messmore, Nisbet, O'Keefe, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 58

Noes: Bachini, Barnett, Benedict, Bergsagel, D. Brown, Clark, Cobb, Cody, Connelly, Daily, Davis, J. DeBruycker, R. DeBruycker, Ellis, Foster, Gervais, Gould, Grady, H. S. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, McCarthy, Mercer, L. Nelson, T. Nelson, Pavlovich, Peck, Peterson, Phillips, Quilici, J. Rice, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 42

Voted Absentee: Bradley, Whalen, Ayes; J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 174 - Representative Dowell moved SB 174 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Bachini, Lee, Peterson.
Total 3

Voted Absentee: Whalen, Aye.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood.
Total 6

Absent or not voting: Benedict, Ellison, Feland, Gould, Keller, L. Nelson, J. Rice.
Total 7

SB 409 - Representative Steppler moved SB 409 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peterson, Ream, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Bachini, Cohen, Forrester, Measure, Raney, S. Rice, Wanzenried.
Total 7

Voted Absentee: J. DeBruycker, Whalen, Ayes.

Excused: Bradley, Pavlovich, Phillips, Quilici, Swysgood.
Total 5

Absent or not voting: Peck, J. Rice, Simpkins.
Total 3

Representative Hoffman moved consideration of SB 192 be placed below SB 229 on the second reading board. Motion carried.

SB 211 - Representative Wanzenried moved SB 211 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 81

Noes: Barnett, Benedict, Bergsagel, R. DeBruycker, Ellis, Feland, Gould, Hayne, Keller, Knox, Spring, Zook.
Total 12

Voted Absentee: Whalen, Aye.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood.
Total 6

Absent or not voting: Ellison.
Total 1

SB 215 - Representative Cobb moved SB 215 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: R. DeBruycker, Feland.
Total 2

Voted Absentee: Whalen, Aye.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood.
Total 6

Absent or not voting: Elliott, Ellison, Grady, Grinde.
Total 4

SB 229 - Representative Darko moved consideration of SB 229 be placed at the bottom of the second reading board. Motion carried.

SB 192 - Representative J. Brown moved SB 192 be concurred in.

Representative Galvin made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Galvin moved SB 192, third reading copy, be amended as follows (amendment #1):

1. Amend the House committee on State Administration amendments, dated March 19, 1991, as follows:

Strike: amendment #2 and replace with the following:

2. Page 5, line 3.
Following: line 2
Insert: "NEW SECTION. Section 3. Coordination instruction. If both House Bill No. 711 and [this act] are passed and approved, then the following amendments apply:

(1) Section 19-6-506(4) in [section 1 of this act] is amended to read:

"(4) Amounts deposited in the highway patrol officers' retirement fund under the provisions of 61-3-321(5) and not required to provide benefits under this section must be allocated as follows:

(a) 50% must be allocated for the supplemental benefits provided under [section 1 of House Bill No. 711]; and

(b) 50% must be allocated to the highway patrol officers' retirement system."

(2) The reference to "1992" in [section 1(1) of House Bill No. 711] is changed to "1991"."
Renumber: subsequent section

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellison, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins,

Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 68

Noes: Barnett, Bergsagel, Boharski, Cobb, Cromley, R. DeBruycker, Ellis, Fagg, Feland, Foster, Gilbert, Grinde, M. Hanson, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, L. Nelson, Peck, Spring, Thoft, Thomas, Wallin.
Total 25

Voted Absentee: Bradley, Whalen, Ayes.

Excused: J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood.
Total 5

Absent or not voting: Benedict, Mercer.
Total 2

Thereupon, SB 192, as amended, was concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Ellis, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 71

Noes: Bergsagel, Boharski, Cobb, R. DeBruycker, Elliott, Ellison, Fagg, Feland, Foster, Gilbert, Grinde, H. S. Hanson, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, T. Nelson, Simpkins, Spring, Thoft, Thomas, Tunby.
Total 24

Voted Absentee: Bradley, Whalen, Ayes.

Excused: J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood.
Total 5

Absent or not voting: None.
Total 0

SJR 21 - Representative Galvin moved SJR 21 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Elliott, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J.

Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Bergsagel, Boharski, Clark, R. DeBruycker, Lee, Thomas.
Total 6

Voted Absentee: Pavlovich, Whalen, Ayes.

Excused: Bradley, J. DeBruycker, Phillips, Quilici, Swysgood.
Total 5

Absent or not voting: Driscoll, Ellis, Ellison, Stang.
Total 4

SB 232 - Representative Driscoll moved consideration of SB 232 be passed for the day. Motion carried.

SB 246 - Representative J. Rice moved SB 246 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Bergsagel, Cody.
Total 2

Voted Absentee: Whalen, Aye.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood.
Total 6

Absent or not voting: McCarthy, Simpkins.
Total 2

SB 253 - Representative Knox moved SB 253 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: None.
Total 0

Voted Absentee: Whalen, Aye.

Excused: Bradley, J. DeBruycker, Kadas, Pavlovich, Phillips, Quilici, Swysgood.
Total 7

Absent or not voting: Grady, Knox, Wallin.
Total 3

SB 266 - Representative Grady moved SB 266, third reading copy, be amended as follows (amendment #1):

1. Title, line 15.
Following: "85-2-315,"
Insert: "85-2-317,"
Page 14, line 21.
Following: line 20
Insert: "Section 7. Section 85-2-317, MCA, is amended to read:

"85-2-317. Limitation on appropriation of ground water. (1) After ~~May 7, 1979, no application for a permit to appropriate ground water in excess of 3,000 acre feet per year may be granted, except pursuant to an act of the legislature permitting the specific appropriation~~ [the effective date of this act], the department may not approve a permit to appropriate ground water in excess of 3,000 acre feet per year unless:

(a) the applicant proves and the department finds that the applicable criteria in 85-2-311 are met; and

(b) the department then petitions the legislature and the legislature affirms the decision of the department after one or more public hearings.

(2) Subsection (1) applies to any permit to appropriate ground water for which application has been made but which has not been granted as of May 7, 1979.

(3) This section does not apply to appropriations by municipalities for municipal use or to appropriations for public water supplies as defined in 75-6-102 or to appropriations for the irrigation of cropland owned and operated by the applicant.

(4) Any person, association, corporation, or other entity that applies for a permit to appropriate ground water, singularly or collectively, for the purpose of circumventing this section is punishable by a fine not exceeding $5,000.""

Renumber: subsequent sections

2. Page 29, line 14.
Following: "Section"
Strike: "10"
Insert: "11"

3. Page 29, line 16.
Following: "section"
Strike: "10"
Insert: "11"

4. Page 29, line 24.
Following: "and"
Strike: "7"
Insert: "8"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: None.
Total 0

Excused: Bradley, J. DeBruycker, Kadas, Pavlovich, Phillips, Quilici, Swysgood, Whalen.
Total 8

Absent or not voting: Benedict, Gervais, S. J. Hansen, Russell.
Total 4

Representative O'Keefe moved SB 266, third reading copy, be further amended as follows (amendment #2):

Title, line 15.
Following: "85-2-402,"
Insert: "AND"

Title, line 16.
Strike: "AND 85-2-501,"

Page 28, line 8 through page 29, line 1.
Strike: section 9 in its entirety
Renumber: subsequent sections

1. Page 28, line 16.
Following: "~~fresh~~"
Insert: "fresh"
Strike: "that is"

2. Page 28, line 19.
Strike: "ground surface"
Insert: "land surface or beneath the bed of a stream, lake, reservoir, or other body of surface water and which is not a part of that surface water"

Strike amendments 2, 3, and 4 from Committee of the Whole amendments dated 4/6/91, 9:27 a.m., Grady

Amendment #2 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Bradley, J. DeBruycker, Kadas, Pavlovich, Phillips, Quilici, Swysgood, Whalen.
Total 8

Absent or not voting: Benedict.
Total 1

Representative Grady moved SB 266, as amended, be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: None.
Total 0

Voted Absentee: Whalen, Aye.

Excused: Bradley, J. DeBruycker, Kadas, Pavlovich, Phillips, Quilici, Swysgood.
Total 7

Absent or not voting: Forrester.
Total 1

SB 269 - Representative Boharski moved SB 269 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Benedict, Bergsagel, Boharski, J. Brown, Clark, Cody, Connelly, Cromley, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Peterson, J. Rice, S. Rice, Simpkins, Spring, Stang, Steppler, Thomas, Tunby, Wallin, Whalen, Zook.
Total 49

Noes: Barnhart, Beck, Becker, Brooke, D. Brown, Cobb, Cocchiarella, Cohen, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Raney, Ream, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Toole, Wanzenried, Wyatt, Mr. Speaker.
Total 44

Voted Absentee: Whalen, Aye.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood.
Total 6

Absent or not voting: Thoft.
Total 1

SB 236 - Representative Wanzenried moved SB 236 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: R. DeBruycker, Driscoll, Scott.
Total 3

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood, Whalen.
Total 7

Absent or not voting: Benedict, Ellison, Kadas.
Total 3

SB 272 - Representative Hansen moved SB 272, third reading copy, be amended as follows (amendment #1):

1. Amend the House committee on Business and Economic Development amendments dated March 14, 1991 as follows:

Amendment #3, in subsection (4).
Following: "water treatment facilities,"
Insert: "public"
Following: "and ~~other~~"
Insert: "any"

Amendment #1 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Becker, Benedict, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: Bachini, Bergsagel, Cromley, Gilbert, Gould, Hoffman, R. Johnson.
Total 7

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood, Whalen.
Total 7

Absent or not voting: Beck, Cohen, Harrington.
Total 3

Representative Cromley moved SB 272, as amended, be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Mr. Speaker.
Total 79

Noes: Bachini, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, R. Johnson, Kasten, McCaffree, Southworth, Wanzenried, Zook.
Total 12

Voted Absentee: Whalen, Aye.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood.
Total 6

Absent or not voting: Benedict, Ellis, Feland.
Total 3

SB 274 - Representative J. Johnson moved SB 274 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 89

Noes: None.
Total 0

Voted Absentee: Whalen, Aye.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood.
Total 6

Absent or not voting: Benedict, Hayne, Menahan, Steppler, Zook.
Total 5

SB 318 - Representative Steppler moved SB 318 be concurred in. Motion failed as follows:

Ayes: Bardanouve, Beck, Brooke, Cody, Cohen, Cromley, Dolezal, Dowell, Grady, Keller, Larson, Madison, Measure, L. Nelson, O'Keefe, Peck, Ream, S. Rice, Russell, Schye, Stang, Steppler, Stickney, Whalen.
Total 24

Noes: Bachini, Barnett, Barnhart, Becker, Benedict, Bergsagel, Boharski, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Daily, Darko, Davis, R. DeBruycker, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Kilpatrick, Kimberley, Knox, Lee, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, Peterson, Raney, J. Rice, Scott, Simpkins, Southworth, Spring, Squires, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 66

Voted Absentee: Whalen, Aye.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood.
Total 6

Absent or not voting: Connelly, Gervais, Harrington, Kadas.
Total 4

SB 331 - Representative Strizich moved SB 331 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang,

Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: None.
Total 0

Voted Absentee: Whalen, Aye.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood.
Total 6

Absent or not voting: Boharski, Ellison, S. J. Hansen.
Total 3

SB 368 - Representative Steppler moved SB 368 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Bergsagel, Cobb, J. DeBruycker, Feland, Gervais, Hoffman, Stang, Thoft.
Total 8

Voted Absentee: Whalen, Aye; J. DeBruycker, No.

Excused: Bradley, Pavlovich, Phillips, Quilici, Swysgood.
Total 5

Absent or not voting: Grady.
Total 1

Representative Grady moved the House reconsider its action on SB 362 taken on second reading this legislative day and that SB 362 be placed at the top of the second reading board. Motion failed as follows: (46-48)

SB 385 - Representative Cobb moved SB 385 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell,

Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: D. Brown, Cohen, Driscoll, Harrington, Measure, Scott, Southworth.
Total 7

Voted Absentee: Whalen, Aye.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood.
Total 6

Absent or not voting: None.
Total 0

SB 391 - Representative Boharski moved SB 391 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, Russell, Schye, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 77

Noes: Brooke, D. Brown, Cohen, Daily, Driscoll, Galvin, Gervais, S. J. Hansen, Harrington, McCarthy, Measure, Menahan, Pavlovich, Quilici, S. Rice, Scott, Southworth, Toole, Wyatt.
Total 19

Voted Absentee: Whalen, Aye; Pavlovich, Quilici, Noes.

Excused: Bradley, J. DeBruycker, Phillips, Swysgood.
Total 4

Absent or not voting: None.
Total 0

Representative Harper moved the House reconsider its action on SJR 17 taken on second reading this legislative day and SJR 17 be placed at the bottom of the second reading board. Motion carried.

Representative D. Brown moved the House reconsider its action on SB 318 taken on second reading this legislative day and SB 318 be placed at the bottom of the second reading board. Motion carried as follows: (47-46)

SB 229 - Representative Cobb moved SB 229 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Beck, Benedict, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Galvin, Gervais, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kilpatrick, Kimberley, Knox, McCarthy, Measure, Menahan, L. Nelson, Nisbet, Peck, Peterson, Ream, Schye, Scott, Simpkins, Spring, Squires, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 56

Noes: Bardanouve, Barnhart, Becker, Bergsagel, Boharski, Clark, R. DeBruycker, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, H. S. Hanson, R. Johnson, Kadas, Kasten, Keller, Larson, Lee, Madison, McCaffree, McCulloch, Mercer, Messmore, T. Nelson, O'Keefe, Raney, J. Rice, S. Rice, Russell, Southworth, Stang, Thoft, Thomas, Mr. Speaker.
Total 37

Voted Absentee: Whalen, Aye.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood.
Total 6

Absent or not voting: Grinde.
Total 1

SJR 17 - Representative Mercer moved SJR 17, third reading copy, be further amended as follows (amendment #2):

1. Strike the Rep. Gould Committee of the Whole amendment, dated April 5, 1991, in its entirety.

Amendment #2 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Cohen, R. DeBruycker, Feland, Nisbet.
Total 4

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood, Whalen.
Total 7

Absent or not voting: Boharski, D. Brown, Driscoll.
Total 3

Representative Southworth moved SJR 17, as amended, be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Benedict, Bergsagel, D. Brown, J. Brown, Cobb, Cocchiarella, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, O'Keefe, Peck, Peterson, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wyatt, Zook, Mr. Speaker.
Total 74

Noes: Barnhart, Becker, Brooke, Clark, Cody, R. DeBruycker, Dowell, R. Johnson, Kasten, Lee, Mercer, Nisbet, Raney, Scott, Stang, Wallin, Wanzenried.
Total 17

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood, Whalen.
Total 7

Absent or not voting: Boharski, Cohen.
Total 2

SB 318 - Representative Steppler moved SB 318, third reading copy, be amended as follows (amendment #1):

1. Amend the House committee on Highways and Transportation amendments, dated March 21, 1991, as follows:

Strike: amendments #1 and #2 in their entirety

Amend Senate Bill 318 (third reading copy -- blue) as follows:

2. Page 3, line 9.
Strike: "$3.50"
Insert: "$1"

3. Page 4, lines 11 and 12.
Strike: line 11 in its entirety through "parks" on line 12

Amendment #1 passed as follows:

Ayes: Bardanouve, Barnett, Bergsagel, Boharski, D. Brown, J. Brown, Clark, Cody, Connelly, Cromley, Daily, Darko, Driscoll, Ellison, Feland, Foster, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, Hoffman, J. Johnson, Kasten, Kilpatrick, Kimberley, Knox, Madison, McCarthy, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Peterson, Ream, Russell, Scott, Simpkins, Spring, Squires, Steppler, Stickney, Strizich, Thoft, Toole, Tunby, Wallin, Wyatt, Zook.
Total 50

Noes: Bachini, Barnhart, Beck, Becker, Brooke, Cobb, Cocchiarella, Cohen, Davis, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Forrester, Gervais, Grady, M. Hanson, Harrington, Hayne, R. Johnson, Kadas, Keller, Larson, Lee, McCaffree, McCulloch, Measure, L. Nelson, T. Nelson, Peck, Raney, J. Rice, S. Rice, Schye, Southworth, Stang, Thomas, Wanzenried, Mr. Speaker.
Total 41

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood, Whalen.
Total 7

Absent or not voting: Benedict, Galvin.
Total 2

Representative Driscoll moved SB 318, third reading copy, be further amended as follows (amendment #2):

1. Page 6, line 8.
Following: "a"
Insert: "transaction between two individuals not involving a lien, nor does it apply to a"

Amendment #2 passed as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Forrester, Foster, Galvin, Gervais, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 77

Noes: Bachini, Bardanouve, Bergsagel, Clark, Fagg, Feland, Gilbert, Grady, R. Johnson, Peck, Peterson, S. Rice, Spring, Stang, Steppler.
Total 15

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood, Whalen.
Total 7

Absent or not voting: Grinde.
Total 1

Representative Steppler moved SB 318, as amended, be concurred in. Motion failed as follows:

Ayes: Bardanouve, Beck, Benedict, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Darko, Dolezal, Driscoll, Ellis, Ellison, Galvin, Gilbert, Grady, S. J. Hansen, Harrington, J. Johnson, Madison, McCarthy, Menahan, Messmore, Nisbet, O'Keefe, Ream, J. Rice, S. Rice, Russell, Schye, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wyatt, Zook.
Total 42

Noes: Bachini, Barnett, Barnhart, Becker, Bergsagel, Boharski, Brooke, Cobb, Cohen, Daily, Davis, R. DeBruycker, Dowell, Elliott, Fagg, Feland, Forrester, Foster, Gervais, Gould, Grinde, H. S. Hanson, M. Hanson, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCaffree, McCulloch, Measure, Mercer, L. Nelson, T. Nelson, Peck, Peterson, Raney, Scott, Simpkins, Southworth, Spring, Squires, Wallin, Wanzenried, Mr. Speaker.
Total 50

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood, Whalen.
Total 7

Absent or not voting: Hayne.
Total 1

Representative Driscoll moved the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Hoffman moved the adoption of the committee report.

Representative Connelly made a substitute motion SB 195 be segregated from the Committee of the Whole report. Motion failed as follows: (43-54)

Representative Measure made a substitute motion SB 362 be segregated from the Committee of the Whole report. Motion carried as follows: (52-42)

Thereupon, the Committee of the Whole report was adopted as follows: (71-21)

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/6/91

HB 68, introduced by Whalen
HB 751, introduced by Boharski
HJR 37, introduced by Gervais

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/6/91

HB 144, introduced by Foster
HB 159, introduced by Connelly
HB 251, introduced by Driscoll
HB 271, introduced by Driscoll
HB 451, introduced by Brooke
HB 497, introduced by Darko
HB 559, introduced by Fagg
HB 650, introduced by Squires
HB 723, introduced by Phillips
HB 763, introduced by Stang
HB 776, introduced by Bergsagel
HB 825, introduced by D. Brown
HB 836, introduced by Driscoll
HB 846, introduced by Menahan
HB 857, introduced by O'Keefe
HB 989, introduced by Cromley
HJR 9, introduced by Russell

House bill indefinitely postponed and returned to the House: 4/4/91

HB 671, introduced by Gilbert

House bills indefinitely postponed and returned to the House: 4/5/91

HB 204, introduced by S. Rice
HB 466, introduced by Bachini
HB 887, introduced by Whalen

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper April 6, 1991
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Harper:

Please be informed that I have signed House Bills 382, 495, 552, 573, 586, 615, 724, 726, 732, 742, 749, 881, 897, 915 and 962 on April 6, 1991.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper April 5, 1991

Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 131, "AN ACT CREATING THE HUMAN SKELETAL REMAINS AND BURIAL SITE PROTECTION ACT; CREATING A BURIAL PRESERVATION BOARD; ESTABLISHING REPORTING AND NOTIFICATION PROCEDURES REGARDING DISTURBANCE OF A BURIAL SITE; PROVIDING FOR FIELD REVIEW AND SCIENTIFIC ANALYSIS; PROVIDING DISINTERMENT AND REINTERMENT PROCEDURES; PROVIDING FOR FEES AND CIVIL AND CRIMINAL PENALTIES; PROVIDING FOR DISPOSITION OF FEES, GRANTS, AND DONATIONS~~, AND PENALTIES~~; EXEMPTING PARTS OF MEETINGS FROM THE OPEN MEETING LAWS UNDER CERTAIN CONDITIONS; PROVIDING FOR CONFIDENTIALITY OF RECORDS; GRANTING THE BOARD RULEMAKING AUTHORITY; PROVIDING FOR A 2-YEAR STATUTORY APPROPRIATION; APPROPRIATING MONEY FROM THE ~~CULTURAL AND AESTHETIC PROJECTS ACCOUNT~~ GENERAL FUND; AMENDING SECTIONS ~~2-3-203,~~ 2-6-101, ~~AND~~ 2-6-102, AND 17-7-502, MCA; AND PROVIDING EFFECTIVE DATES AND A TERMINATION DATE."

House Bill 131 is both necessary and appropriate. The preservation and recognition of sacred burial sites is steeped in Montana tradition and calls upon all of our respect. I am in substantial approval of this legislation.

I am, however, concerned about various particular elements of the bill. I, therefore, propose for your consideration several amendments that will conform the legislation to the Montana Constitution and make its implementation more operable.

First, I am concerned about the timely process in resolving the proper disposition of human skeletal remains upon their discovery. The legislature has specifically addressed the step by step procedure one must take upon discovery of these remains. Section 5 delineates this process. However, it is void of any time frame that requires completion of the activities of the board, landowner and the proper disposition of the remains. I therefore propose an amendment to rectify that problem. My amendment would require that from the date the coroner has been notified of the human skeletal remains, the disposition of the remains and burial materials must be completed by the board, tribe or cultural group within 40 days. This provision will give notice to all parties that the expedited and prompt attention and proper disposition must not linger indefinitely.

Secondly, my amendment addresses the power of the executive to appoint members to the board created in House Bill 131. Section 8, Article VI, Montana Constitution states in part:

> "The governor shall appoint, subject to confirmation by the senate, all officers provided for in this constitution or by law whose appointment or election is not otherwise provided for."

All appointments to boards and commissions within the executive branch have been appointed by the executive. The legislature has exercised its right to define the qualifications and, in some instances, the parameters of the membership of the board. That is proper. The executive in turn makes the appointments. This authority has consistently been recognized in section 2-15-201, MCA, and approximately 125 legislatively created boards. Section 2-15-124 provides for an elaborate method of appointment, notice and responsibility. However, the present appointive process is inconsistent with the constitution and other statutes including Section 2-15-121, MCA.

My amendments would respect the direction of the legislature regarding the composition of the board. The amendments would also respect the legislature's desire that the appointee be from a list of "potential members" provided by a group or organization. However, the amendments would clarify that the governor makes the appointment as executive under our constitution.

I am troubled about several other provisions. I understand and appreciate the need for confidentiality of the board proceedings and certain records regarding burial sites. I am concerned about its compliance with the "Right to Know" section of the Montana Constitution. I note the legislation has a severability clause and will defer to the judgment of the legislature on that issue.

I also defer to this legislature's judgment the criminal sanctions imposed by House Bill 131. I am concerned about the extent and severity of the penalties for violations of this act. However, I will respect the legislature's decision on this matter as well.

I request that you act favorably upon the amendments I have proposed.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
House BILL 131
(REFERENCE COPY, AS AMENDED)
APRIL 5, 1991

1. Page 6, line 19.
Following: "appointed"
Insert: "by the governor from a list of up to three nominees submitted"

2. Page 6, line 22.
Following: "by the"
Strike: "coordinator of Indian affairs"
Insert: "governor"

3. Page 6, line 25 and page 7, line 1.
Following: "by the"
Strike: "state medical examiner"
Insert: "governor"

4. Page 7, line 3.
Following: "by the"
Strike: "coordinator of Indian affairs"
Insert: "governor

5. Page 7, line 7.
Following: line 6
Strike: "attorney general"
Insert: "governor"

6. Page 12.
Following: line 14
Insert: "(9) The disinterment and disposition of the human skeletal remains or burial materials must be completed by the board, tribe or cultural group within 40 days after discovery of the remains or burial materials and notification regarding those remains has been made to the coroner."

The Honorable Hal Harper April 5, 1991
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 142, "AN ACT CREATING A STATUTORY JOINT COMMITTEE ON POSTSECONDARY EDUCATION POLICY AND BUDGET; APPROPRIATING FUNDS FOR THE COMMITTEE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

I propose to amend the membership on the postsecondary education policy and budget committee. My amendment would add an additional two members from the Board of Regents. I believe these additional Regent members will provide an invaluable and substantial contribution to the committee's deliberations, including geographic, rural and urban representation. I also recognize the Regents devote considerable time and

attention to the governance of the University System. Their participation with the respective legislators will enhance the ultimate success of this committee.

I also propose an amendment which will delete $40,000 of the $66,000 appropriation attached with this legislation. The appropriation of $66,000 is above the recommendation of the Executive budget and is an expense we cannot afford at this time. I am however, sensitive to the need for legislators reimbursement for travel costs, per diem and administrative support costs and concur with that expense. I am confident that the efforts of the University System to coordinate Regent meetings with anticipated meetings of the committee, University staff assistance and efforts of the Legislative Fiscal Analyst will allow the committee to function properly.

I urge your concurrence with these amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 142
(REFERENCE COPY, AS AMENDED)
APRIL 5, 1991

1. Page 4, line 5.
Following: "(b)"
Strike: "two"
Insert: "four"

2. Page 7, lines 17 and 18
Strike: "AND $40,000 FOR CONSULTANT COSTS"

The Honorable Hal Harper April 6, 1991
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 589, "AN ACT TO CHANGE THE SCHOOL DISTRICT ACCUMULATED SICK LEAVE RESERVE FUND TO THE COMPENSATED ABSENCE LIABILITY FUND; TO INCLUDE IN THE FUND THE ACCUMULATED AMOUNTS OF SICK LEAVE AND VACATION LEAVE FOR

ALL DISTRICT EMPLOYEES; AMENDING SECTION 20-9-512, MCA; AND PROVIDING AN EFFECTIVE DATE."

I understand and sympathize with the original purpose of House Bill 589 to streamline the school district finance process. After careful review, however, I believe that this bill has serious implications on state law, school finance and the state's general fund budget. These implications require several amendments and further review by this assembly.

Montana's current school equalization funding system has been in place for less than one operating school fiscal year. Needless to say, particulars regarding its effect on local, county and state revenue and financing are yet to be determined.

I propose to amend Section 1 of the bill to reinstate the provision that only 25% of the accumulated sick leave of nonteaching school district employees be paid upon retirement or termination. The legislation, as presented, would have eliminated this formula which has been in place for many years. It would allow districts to grant pay out to employees, both teaching and nonteaching, up to 100% of their accumulated sick leave hours. This is inconsistent with what I believe is the general consensus of this assembly. It would be a diversion from how state government pays for accumulated sick leave. This would have substantial financial impacts on district budgets. It also could raise substantially the last year's wage of a teacher which would, in turn, impact the Montana Teachers' Retirement System.

Secondly, I propose a sunset provision of July 1, 1993 on this bill. Because the potential monetary effect is uncertain because of its relationship to Guaranteed Tax Base funds and obligations of local, county and state revenue, the statute will need careful assessment before we further encumber unsuspecting legislators and taxpayers.

According to the most recent fiscal note, the cost to the state permissive Guaranteed Tax Base will increase approximately $265,000 in fiscal year 1992 and $265,000 in fiscal year 1993 as districts transfer additional funds from the general fund to the compensated absence liability fund. This substantial fiscal impact was not contemplated by the Executive Budget or many members of this assembly.

These amendments are offered to hold the cost of school district compensation to the state at a reasonable level. There is also concern regarding fiscal impacts to the teacher retirement system should 100% of the accumulated sick leave be added to the three year average to determine a teacher's retirement benefits.

I urge your attention to the uncertainties raised by this bill and your concurrence with my amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 589
(REFERENCE COPY, AS AMENDED)
APRIL 5, 1991

1. Title, page 1, line 9
Strike: "ALL"
Insert: "NONTEACHING"

2. Page 1, lines 18 and 19.
Following: "sick leave that a"
Insert: "nonteaching"

3. Page 1, line 20.
Following: "district"
Insert: "in accordance with the provisions of 2-18-618"

4. Page 1, line 23.
Following: line 22
Insert: "nonteaching"

5. Page 2, line 11.
Following: "of"
Insert: "nonteaching"

6. Page 2, line 18.
Following: line 17
Insert: "NEW SECTION. Section 3. Termination. [This act] terminates July 1, 1993."

The Honorable Joseph P. Mazurek April 6, 1991
President of the Senate
State Capitol
Helena, Montana 59620

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

Dear President Mazurek and Speaker Harper:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to Senate Bill 381, "AN ACT ESTABLISHING ~~A BOARD OF ALLIED~~ AN ALTERNATIVE HEALTH CARE BOARD; PROVIDING FOR THE COMPOSITION OF THE BOARD; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

I am proposing to amend a small but significant portion of Senate Bill 381. I request this Assembly to allow the Montana physician who practices obstetrics and who has been designated as a member of the Alternative

Health Care Board to be a voting member. As presented, the physician is a nonvoting member.

Tremendous personal sacrifice is made by our general public including the medical profession to serve with little or no compensation on boards and commissions. It would be very difficult to locate a responsible physician who would diligently attend and partake of board deliberations without the right to vote.

Also, no other member of this board is restricted from voting. There is no public policy reason that has been presented to me to restrict the physician from participating and voting on the deliberations of this important board. The contribution that will be made by the physician to this developing alternative health care is vital.

I urge your concurrence with this amendment.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
SENATE BILL 381
(REFERENCE COPY, AS AMENDED)
APRIL 5, 1991

1. Page 2, line 21.
Following: "ONE"
Strike: "NONVOTING"

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Darko moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hoffman in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 362 - Representative Measure moved SB 362, third reading copy, be amended as follows (amendment #1):

1. Page 5, line 25 through page 6 line 9.
Strike: section 5 in its entirety
Renumber: subsequent sections

2. Page 9.
Following: line 20
Insert: "(3) Park rangers may not carry firearms in the execution of their duties."

Page 13, lines 19 and 22.
Following: "1"
Strike: ","
Insert: "and"
Following: "3"
Strike: ", and 5"

Amendment #1 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Dolezal, Driscoll, Elliott, Ellis, Ellison, Feland, Foster, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried.
Total 68

Noes: Bachini, Barnett, Bergsagel, Boharski, Clark, Cobb, Daily, Davis, R. DeBruycker, Dowell, Forrester, Gould, Grinde, Larson, Madison, T. Nelson, Peck, Peterson, Southworth, Wyatt.
Total 20

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood, Whalen.
Total 7

Absent or not voting: Benedict, Fagg, Harrington, Zook, Mr. Speaker.
Total 5

Representative Grady moved SB 362, as amended, be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Becker, Benedict, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Darko, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Foster, Gilbert, Grady, Grinde, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Lee, McCaffree, McCarthy, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Ream, J. Rice, S. Rice, Schye, Spring, Squires, Stickney, Strizich, Thoft, Thomas, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 54

Noes: Bachini, Beck, Bergsagel, Brooke, Cobb, Cohen, Cromley, Daily, Davis, Dolezal, Dowell, Driscoll, Feland, Forrester, Galvin, Gervais, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Knox, Larson, Madison, McCulloch, Measure, L. Nelson, T. Nelson, Peck, Peterson, Raney, Scott, Simpkins, Southworth, Stang, Steppler, Toole, Whalen, Wyatt.
Total 38

Voted Absentee: Whalen, No.

Excused: Bradley, J. DeBruycker, Pavlovich, Phillips, Quilici, Swysgood.
Total 6

Absent or not voting: Boharski, Russell.
Total 2

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Hoffman moved the adoption of the committee report. Report adopted. (59-33)

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 440:

Representative Wyatt, Chairman
Representative D. Brown
Representative J. Rice

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 441:

Representative Cromley, Chairman
Representative Toole
Representative Mercer

Mr. Speaker appointed the following members to the free conference committee on SB 251:

Representative Cocchiarella, Chairman
Representative Southworth
Representative Clark

Mr. Speaker appointed the following members to the free conference committee on SB 171:

Representative Schye, Chairman
Representative Daily
Representative Grady

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 16 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J.

Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Cohen, Measure.
Total 2

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Ayes.

Excused: Phillips, Quilici, Swysgood, Whalen.
Total 4

Absent or not voting: Barnett, H. S. Hanson.
Total 2

SB 17 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Clark, Cobb, R. DeBruycker, Lee, Thomas.
Total 5

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Quilici, Whalen, Ayes.

Excused: Phillips, Swysgood.
Total 2

Absent or not voting: None.
Total 0

SB 19 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Galvin, Gervais, Grady, S. J. Hansen,

Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Mr. Speaker.
Total 72

Noes: Barnett, Benedict, Bergsagel, Clark, R. DeBruycker, Ellison, Feland, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, T. Nelson, Peterson, Simpkins, Zook.
Total 24

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Ayes.

Excused: Phillips, Quilici, Swysgood, Whalen.
Total 4

Absent or not voting: None.
Total 0

SB 51 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Benedict, D. Brown, R. DeBruycker, Thoft.
Total 4

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Ayes.

Excused: Phillips, Quilici, Swysgood, Whalen.
Total 4

Absent or not voting: None.
Total 0

SB 53 concurred in as follows:

Ayes: Bachini, Beck, Benedict, Bergsagel, Bradley, D. Brown, J. Brown, Cobb, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster,

Galvin, Gervais, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kilpatrick, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 75

Noes: Bardanouve, Barnett, Barnhart, Becker, Boharski, Brooke, Clark, Cocchiarella, Cohen, Dolezal, Dowell, S. J. Hansen, J. Johnson, Kadas, Kimberley, Lee, Measure, T. Nelson, Peck, J. Rice, Russell, Wanzenried.
Total 22

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Quilici, Whalen, Ayes.

Excused: Phillips, Swysgood.
Total 2

Absent or not voting: Grinde.
Total 1

SB 117 concurred in as follows:

Ayes: Barnett, Becker, Benedict, Bergsagel, Boharski, Bradley, J. Brown, Clark, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, R. DeBruycker, Driscoll, Ellis, Ellison, Feland, Forrester, Gilbert, Gould, Grady, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, McCaffree, McCulloch, Menahan, Pavlovich, Peck, Peterson, J. Rice, S. Rice, Simpkins, Spring, Squires, Steppler, Stickney, Strizich, Thomas, Tunby, Wallin, Whalen, Zook.
Total 53

Noes: Bachini, Bardanouve, Barnhart, Beck, Brooke, D. Brown, Cobb, Cohen, Cromley, J. DeBruycker, Dolezal, Dowell, Elliott, Fagg, Foster, Galvin, Gervais, S. J. Hansen, H. S. Hanson, Kadas, Kasten, Lee, Madison, McCarthy, Measure, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Raney, Ream, Russell, Schye, Scott, Southworth, Stang, Thoft, Toole, Wanzenried, Wyatt, Mr. Speaker.
Total 42

Voted Absentee: Bradley, Pavlovich, Whalen, Ayes; J. DeBruycker, No.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: Grinde, L. Nelson.
Total 2

SB 123 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb,

Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Gilbert.
Total 1

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Ayes.

Excused: Phillips, Quilici, Swysgood, Whalen.
Total 4

Absent or not voting: None.
Total 0

SB 154 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Bergsagel, R. DeBruycker, Gilbert, McCaffree, Peterson.
Total 5

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: S. J. Hansen.
Total 1

SB 164 concurred in as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peterson, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 82

Noes: Bachini, Bardanouve, Cody, Daily, J. DeBruycker, S. J. Hansen, Madison, McCaffree, Nisbet, Peck, Raney, Southworth, Wyatt.
Total 13

Voted Absentee: Pavlovich, Aye; J. DeBruycker, No.

Excused: Bradley, Phillips, Quilici, Swysgood, Whalen.
Total 5

Absent or not voting: None.
Total 0

SB 172 concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Bachini, Beck, Bradley, Cody, Connelly, Daily, Gould, Kasten, Messmore, Schye, Stickney.
Total 11

Voted Absentee: J. DeBruycker, Pavlovich, Whalen, Ayes; Bradley, No.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: None.
Total 0

SB 189 concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: Bachini, Bergsagel, Clark, Cobb, Cohen, Gervais, Hoffman, Pavlovich, Peck, Peterson, Spring, Wanzenried.
Total 12

Voted Absentee: Bradley, J. DeBruycker, Ayes; Pavlovich, No.

Excused: Phillips, Quilici, Swysgood, Whalen.
Total 4

Absent or not voting: S. J. Hansen, Larson.
Total 2

SB 191 concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Bachini, Cohen, Measure, Peck.
Total 4

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Ayes.

Excused: Phillips, Quilici, Swysgood, Whalen.
Total 4

Absent or not voting: Scott.
Total 1

SB 199 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Benedict, Bergsagel, Boharski, Daily, R. DeBruycker, Feland, Thoft, Thomas.
Total 8

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: None.
Total 0

SB 205 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: Barnett, Bergsagel, Clark, Cobb, Ellison, Feland, Hoffman, Kasten, Spring, Steppler, Thoft, Wallin.
Total 12

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Ayes.

Excused: Phillips, Quilici, Swysgood, Whalen.
Total 4

Absent or not voting: Brooke, Grinde.
Total 2

SB 209 concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 73

Noes: Bachini, Benedict, Bergsagel, Clark, Cobb, Cody, Cromley, J. DeBruycker, Fagg, Feland, Forrester, Grinde, H. S. Hanson, Hayne, Hoffman, R. Johnson, Kasten, McCaffree, L. Nelson, Peck, Peterson, Thoft, Zook.
Total 23

Voted Absentee: Bradley, Pavlovich, Whalen, Ayes; J. DeBruycker, No.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: Larson.
Total 1

SB 222 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Bergsagel, R. DeBruycker, Driscoll, Ellison, Gilbert, Knox, Lee, McCaffree, L. Nelson, O'Keefe.
Total 10

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Ayes.

Excused: Phillips, Quilici, Swysgood, Whalen.
Total 4

Absent or not voting: None.
Total 0

SB 256 concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 82

Noes: Bachini, Benedict, Bergsagel, Boharski, J. Brown, Cobb, Hayne, Kadas, Kasten, J. Rice, Schye, Steppler, Thomas, Mr. Speaker.
Total 14

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: T. Nelson.
Total 1

SB 270 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Barnhart, Cocchiarella, Cohen, Dowell, Driscoll, R. Johnson, Kimberley, Measure, Peterson, Spring.
Total 10

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: T. Nelson.
Total 1

SB 273 concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Becker, Benedict, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Driscoll, Elliott, Fagg, Feland, Foster, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Messmore, T. Nelson, Pavlovich, Peterson, J. Rice, Russell, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook.
Total 64

Noes: Bachini, Beck, Bergsagel, Brooke, J. DeBruycker, Dolezal, Dowell, Ellison, Forrester, Galvin, Gilbert, Kadas, Lee, McCaffree, Measure, Menahan, Mercer, L. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, S. Rice, Schye, Scott, Southworth, Wyatt, Mr. Speaker.
Total 29

Voted Absentee: Bradley, Pavlovich, Ayes; J. DeBruycker, No.

Excused: Phillips, Quilici, Swysgood, Whalen.
Total 4

Absent or not voting: Cohen, Ellis, Thoft.
Total 3

SB 277 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Bergsagel, Feland, Grinde, H. S. Hanson, Kasten, Lee, Peterson.
Total 7

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Ayes.

Excused: Phillips, Quilici, Swysgood, Whalen.
Total 4

Absent or not voting: None.
Total 0

SB 284 concurred in as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Bardanouve, Bergsagel, Clark, R. DeBruycker, Grinde, Hoffman, R. Johnson, Lee, Pavlovich, Peck, Peterson, Spring.
Total 12

Voted Absentee: Bradley, J. DeBruycker, Ayes; Pavlovich, No.

Excused: Phillips, Quilici, Swysgood, Whalen.
Total 4

Absent or not voting: None.
Total 0

SB 287 concurred in as follows:

Ayes: Bachini, Barnett, Barnhart, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Raney, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: Beck, Brooke, Cocchiarella, Daily, Dolezal, Dowell, Forrester, Harrington, Kadas, McCarthy, McCulloch, Nisbet, Ream, Schye, Steppler.
Total 15

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Swysgood, Ayes.

Excused: Phillips, Quilici, Whalen.
Total 3

Absent or not voting: Bardanouve.
Total 1

SB 303 not concurred in as follows:

Ayes: Bardanouve, Barnhart, Becker, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Feland, Gilbert, Gould, Grady, Grinde, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCulloch, Measure, T. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, S. Rice, Russell, Schye, Southworth, Squires, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 48

Noes: Bachini, Barnett, Beck, Benedict, Bergsagel, Boharski, D. Brown, Clark, Cobb, Cody, Connelly, Cromley, Daily, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Forrester, Foster, Galvin, Gervais, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, McCaffree, McCarthy, Menahan, Mercer, Messmore, L. Nelson, Pavlovich, Peterson, Phillips, J. Rice, Scott, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 49

Voted Absentee: Bradley, Whalen, Ayes; J. DeBruycker, Pavlovich, Phillips, Swysgood, Noes.

Excused: Quilici.
Total 1

Absent or not voting: S. J. Hansen, Stang.
Total 2

SB 400 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang,

Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: Barnett, Bergsagel, Cobb, Daily, Ellis, H. S. Hanson, Hayne, Hoffman, Peterson, Spring, Steppler.
Total 11

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Ayes.

Excused: Phillips, Quilici, Swysgood, Whalen.
Total 4

Absent or not voting: Grinde, S. J. Hansen, Kasten.
Total 3

SB 195 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Darko, Dolezal, Dowell, Elliott, Ellison, Fagg, Forrester, Galvin, Gilbert, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Raney, Ream, S. Rice, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 50

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, D. Brown, Clark, Cobb, Cody, Connelly, Cromley, Daily, Davis, J. DeBruycker, R. DeBruycker, Driscoll, Ellis, Feland, Foster, Gervais, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, McCaffree, McCarthy, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Quilici, J. Rice, Russell, Simpkins, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 49

Voted Absentee: Bradley, Whalen, Ayes; J. DeBruycker, Phillips, Quilici, Swysgood, Noes.

Excused: Pavlovich.
Total 1

Absent or not voting: None.
Total 0

SB 301 concurred in as follows:

Ayes: Bachini, Barnhart, Beck, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Raney, Ream, S.

Rice, Russell, Schye, Simpkins, Southworth, Squires, Stickney, Strizich, Tunby, Wallin, Whalen.
Total 56

Noes: Bardanouve, Barnett, Becker, Benedict, Bergsagel, Cromley, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCulloch, Mercer, T. Nelson, Peck, Peterson, J. Rice, Scott, Spring, Stang, Steppler, Thoft, Thomas, Toole, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 39

Voted Absentee: Bradley, J. DeBruycker, Whalen, Ayes.

Excused: Pavlovich, Phillips, Quilici, Swysgood.
Total 4

Absent or not voting: Brooke.
Total 1

SB 313 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Bergsagel, Boharski, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 88

Noes: Barnhart, Brooke, Gervais, S. J. Hansen, Larson, Madison, O'Keefe, Ream, Wyatt.
Total 9

Voted Absentee: J. DeBruycker, Pavlovich, Quilici, Swysgood, Whalen, Ayes.

Excused: Bradley, Phillips.
Total 2

Absent or not voting: Benedict.
Total 1

SB 314 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R.

DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: J. DeBruycker, Gervais.
Total 2

Voted Absentee: Pavlovich, Whalen, Ayes; J. DeBruycker, No.

Excused: Bradley, Phillips, Quilici, Swysgood.
Total 4

Absent or not voting: None.
Total 0

SB 326 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Bergsagel, R. DeBruycker, Ellison, Fagg, Feland, Kasten, McCaffree, T. Nelson, Peterson.
Total 9

Voted Absentee: Bradley, J. DeBruycker, Whalen, Ayes.

Excused: Pavlovich, Phillips, Quilici, Swysgood.
Total 4

Absent or not voting: Brooke, S. J. Hansen, Menahan.
Total 3

SB 330 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb,

Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Kadas, McCaffree, Peck, Southworth.
Total 4

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: None.
Total 0

SB 363 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, D. Brown, J. Brown, Clark, Cobb, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kilpatrick, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Ream, Schye, Scott, Simpkins, Spring, Squires, Stang, Strizich, Thoft, Thomas, Toole, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 75

Noes: Barnett, Boharski, Brooke, Cocchiarella, Cohen, R. DeBruycker, Dowell, Elliott, J. Johnson, Kadas, Kimberley, Lee, Peck, Raney, J. Rice, Russell, Southworth, Steppler, Stickney, Tunby, Wanzenried.
Total 21

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: S. Rice.
Total 1

SB 366 concurred in as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Grady, Grinde, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 68

Noes: Barnett, Benedict, Bergsagel, Boharski, J. Brown, Clark, R. DeBruycker, Ellis, Ellison, Feland, Foster, Gilbert, Gould, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, T. Nelson, Peterson, Spring, Thomas, Wallin, Zook.
Total 28

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: Bardanouve.
Total 1

SB 377 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: R. DeBruycker.
Total 1

Voted Absentee: J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Bradley, Phillips, Quilici, Swysgood.
Total 4

Absent or not voting: Peck, Simpkins.
Total 2

SB 379 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: Barnhart, Bergsagel, Boharski, Cohen, J. DeBruycker, R. DeBruycker, Elliott, Gilbert, Grinde, Kadas, Kasten, McCaffree, Measure, L. Nelson, Steppler.
Total 15

Voted Absentee: Bradley, Pavlovich, Whalen, Ayes; J. DeBruycker, No.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: Clark.
Total 1

SB 386 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Bergsagel, Cobb.
Total 2

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: None.
Total 0

SB 389 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: Forrester.
Total 1

SB 393 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: McCaffree.
Total 1

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: None.
Total 0

SB 394 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Benedict, Bergsagel.
Total 2

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: None.
Total 0

SB 395 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Ream.
Total 1

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: None.
Total 0

SB 409 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Forrester, Gervais, O'Keefe.
Total 3

Voted Absentee: Bradley, J. DeBruycker, Whalen, Ayes.

Excused: Pavlovich, Phillips, Quilici, Swysgood.
Total 4

Absent or not voting: Benedict.
Total 1

SB 420 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler,

Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: Clark.
Total 1

SB 425 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Cobb, R. DeBruycker, Feland, Spring, Thoft.
Total 5

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Ayes.

Excused: Phillips, Quilici, Swysgood, Whalen.
Total 4

Absent or not voting: None.
Total 0

SB 434 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet,

O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Knox.
Total 1

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Swysgood, Whalen, Ayes.

Excused: Phillips, Quilici.
Total 2

Absent or not voting: None.
Total 0

SB 437 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Cobb.
Total 1

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: None.
Total 0

SB 456 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R.

Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, Pavlovich, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: Barnhart, Bergsagel, Clark, J. DeBruycker, R. DeBruycker, Ellison, Feland, M. Hanson, Knox, Lee, McCaffree, L. Nelson, O'Keefe.
Total 13

Voted Absentee: Bradley, Pavlovich, Whalen, Ayes; J. DeBruycker, No.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: Forrester, Peck.
Total 2

SB 178 concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cody, Connelly, Cromley, Daily, Davis, J. DeBruycker, R. DeBruycker, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, Pavlovich, Peterson, Raney, Ream, J. Rice, Russell, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 79

Noes: Bachini, Brooke, Cocchiarella, Cohen, Darko, Dolezal, Elliott, Galvin, Lee, Measure, L. Nelson, O'Keefe, Peck, S. Rice, Schye, Southworth, Toole, Mr. Speaker.
Total 18

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: None.
Total 0

SJR 16 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R.

DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Barnhart, O'Keefe, Peck.
Total 3

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: Mercer.
Total 1

SJR 17 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Benedict, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Pavlovich, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Whalen, Wyatt, Zook, Mr. Speaker.
Total 73

Noes: Barnhart, Becker, Bergsagel, Boharski, Brooke, Clark, Cody, R. DeBruycker, Dowell, Kasten, Larson, Lee, Mercer, Nisbet, O'Keefe, Peck, Peterson, Raney, Scott, Stang, Steppler, Wallin, Wanzenried.
Total 23

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: Gould.
Total 1

SJR 18 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb,

Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Swysgood, Whalen, Ayes.

Excused: Phillips, Quilici.
Total 2

Absent or not voting: S. J. Hansen.
Total 1

SJR 20 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 79

Noes: Barnett, Bergsagel, Clark, J. DeBruycker, R. DeBruycker, Feland, H. S. Hanson, Hayne, Kasten, L. Nelson, Peterson, Spring, Steppler, Thoft, Thomas, Wallin.
Total 16

Voted Absentee: Bradley, Pavlovich, Whalen, Ayes; J. DeBruycker, No.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: Brooke, Ellison.
Total 2

SJR 21 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Boharski, Clark, R. DeBruycker, Feland, H. S. Hanson, Lee, Measure, Peck, Stang, Thoft, Thomas.
Total 11

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: None.
Total 0

SJR 23 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 77

Noes: Barnett, Boharski, Clark, Cocchiarella, Ellis, Ellison, Fagg, Gilbert, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Measure, Peterson, Scott, Spring, Steppler, Thomas, Zook.
Total 20

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: None.
Total 0

SJR 24 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Voted Absentee: Bradley, Pavlovich, Swysgood, Whalen, Ayes.

Excused: J. DeBruycker, Phillips, Quilici.
Total 3

Absent or not voting: Brooke.
Total 1

SJR 25 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Cobb, Feland, Peck, Scott, Spring, Steppler, Thoft.
Total 7

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: None.
Total 0

SB 37 concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Galvin, Gervais, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 79

Noes: Bachini, Bergsagel, Boharski, Cobb, J. DeBruycker, R. DeBruycker, Feland, Foster, Gilbert, Gould, H. S. Hanson, Kasten, Knox, Lee, Mercer, L. Nelson, Peck, Spring.
Total 18

Voted Absentee: Bradley, Pavlovich, Whalen, Ayes; J. DeBruycker, No.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: None.
Total 0

SB 82 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Galvin, Gilbert, Gould, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 71

Noes: Barnett, Bergsagel, Boharski, Clark, Cobb, Cody, J. DeBruycker, R. DeBruycker, Ellis, Foster, Gervais, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, L. Nelson, Simpkins, Steppler, Thoft.
Total 25

Voted Absentee: Bradley, Pavlovich, Whalen, Ayes; J. DeBruycker, No.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: Benedict.
Total 1

SB 105 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Bergsagel, Boharski, Connelly, Feland, Grinde, Kadas, Lee, McCaffree, T. Nelson, Spring, Thoft.
Total 11

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: None.
Total 0

SB 174 concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Bachini, Benedict, Gould, Lee, Spring.
Total 5

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: None.
Total 0

SB 192 concurred in as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Driscoll, Ellis, Ellison, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 77

Noes: Barnett, Bergsagel, Boharski, Cobb, J. DeBruycker, R. DeBruycker, Dowell, Elliott, Fagg, Gilbert, R. Johnson, Kasten, Knox, Lee, L. Nelson, T. Nelson, Simpkins, Spring, Tunby.
Total 19

Voted Absentee: Bradley, Pavlovich, Whalen, Ayes; J. DeBruycker, No.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: Bardanouve.
Total 1

SB 211 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Benedict, Bergsagel, Cobb, R. DeBruycker, Ellis, Feland, Gould, Hayne, Knox, Spring.
Total 10

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: None.
Total 0

SB 215 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Cody, R. DeBruycker, Spring.
Total 3

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: None.
Total 0

SB 229 concurred in as follows:

Ayes: Bachini, Bardanouve, Beck, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, Kilpatrick, Kimberley, Knox, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, Pavlovich, Peck, Peterson, Raney, Ream, Schye, Scott, Simpkins, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook.
Total 62

Noes: Barnett, Barnhart, Becker, Benedict, Bergsagel, Boharski, Clark, Davis, R. DeBruycker, Ellison, Fagg, Feland, Foster, Grinde, H. S. Hanson, Hoffman, R. Johnson, Kadas, Kasten, Keller, Larson, McCaffree, Mercer, Messmore, T. Nelson, O'Keefe, J. Rice, S. Rice, Russell, Southworth, Spring, Thoft, Thomas, Wyatt, Mr. Speaker.
Total 35

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: None.
Total 0

SB 246 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Bergsagel, Cody.
Total 2

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: None.
Total 0

SB 253 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer,

Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Cohen, Measure, Raney.
Total 3

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: None.
Total 0

SB 266 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Cobb, Cohen, Gervais, S. J. Hansen, Raney.
Total 5

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: None.
Total 0

SB 269 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Benedict, Bergsagel, Boharski, J. Brown, Clark, Cobb, Cody, Connelly, Cromley, Darko, J. DeBruycker, R. DeBruycker, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Knox, Lee, McCaffree, McCulloch, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Peterson, Phillips, J. Rice, S. Rice,

Simpkins, Spring, Stang, Stickney, Swysgood, Thomas, Tunby, Wallin, Wanzenried, Whalen, Zook.
Total 58

Noes: Barnhart, Beck, Becker, Brooke, D. Brown, Cocchiarella, Cohen, Daily, Davis, Dolezal, Dowell, Elliott, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kilpatrick, Kimberley, Larson, Madison, McCarthy, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, Russell, Schye, Scott, Southworth, Squires, Steppler, Strizich, Thoft, Toole, Wyatt, Mr. Speaker.
Total 41

Voted Absentee: J. DeBruycker, Phillips, Swysgood, Whalen, Ayes; Pavlovich, Quilici, Noes.

Excused: Bradley.
Total 1

Absent or not voting: None.
Total 0

SB 272 concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Bachini, Benedict, Bergsagel, Clark, Cobb, R. DeBruycker, Gilbert, R. Johnson, Kasten, McCaffree, Wanzenried.
Total 11

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: None.
Total 0

SB 274 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J.

DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Gilbert, Southworth.
Total 2

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: None.
Total 0

SB 331 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: S. J. Hansen.
Total 1

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: None.
Total 0

SB 368 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Bergsagel, Cobb, J. DeBruycker, Feland, H. S. Hanson, Spring, Thoft, Thomas.
Total 8

Voted Absentee: Bradley, Pavlovich, Whalen, Ayes; J. DeBruycker, No.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: Southworth.
Total 1

SB 385 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: D. Brown, Cohen, Gilbert, Harrington, Scott, Southworth.
Total 6

Voted Absentee: Bradley, J. DeBruycker, Pavlovich, Whalen, Ayes.

Excused: Phillips, Quilici, Swysgood.
Total 3

Absent or not voting: None.
Total 0

SB 391 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 85

Noes: D. Brown, Cohen, Daily, Gervais, Gilbert, S. J. Hansen, Harrington, Measure, Pavlovich, Quilici, Southworth.
Total 11

Voted Absentee: Bradley, J. DeBruycker, Whalen, Ayes; Pavlovich, Quilici, Noes.

Excused: Phillips, Swysgood.
Total 2

Absent or not voting: Simpkins, Wyatt.
Total 2

SB 362 concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Becker, Benedict, Boharski, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Foster, Grady, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Lee, McCaffree, McCarthy, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Peterson, Ream, J. Rice, S. Rice, Schye, Squires, Stickney, Strizich, Thoft, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 51

Noes: Bachini, Beck, Bergsagel, Brooke, Cobb, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Knox, Larson, Madison, McCulloch, Measure, L. Nelson, T. Nelson, Peck, Raney, Russell, Scott, Simpkins, Southworth, Spring, Stang, Steppler, Thomas, Toole, Whalen, Wyatt.
Total 45

Voted Absentee: Bradley, Aye; J. DeBruycker, Whalen, Noes.

Excused: Pavlovich, Phillips, Quilici, Swysgood.
Total 4

Absent or not voting: None.
Total 0

MOTIONS

Representative Raney moved the House reconsider its action on SB 303 taken on third reading this legislative day. Motion failed.

Representative Connelly moved the House reconsider its action on SB 195 taken on third reading this legislative day. Motion failed.

Representative Connelly objected to the Speaker allowing Senate Bill 195, as amended, to pass third reading this date based on her opinion that the amendments passed in Committee of the Whole violated Joint Rule 40-90, which states: "Bills -- original purpose. A law may not be passed except by bill. A bill may not be so altered or amended on its passage through either house as to change its original purpose (Montana Constitution, Art. V, Sec. 11(1)." Representative Connelly appealed the Speaker's decision to the Rules Committee and received the necessary fifteen seconds.

Representative Driscoll moved the House recess at the call of the Chair. Motion carried.

House recessed. House reconvened. Mr. Speaker in the Chair.

Representative Driscoll announced the Rules Committee upheld the decision of the Speaker by a 7-3 vote.

Representative Connelly appealed the Rules Committee decision and requested a vote of the House.

The vote to uphold the decision of the Rules Committee was as follows: (50-36)

Representative Ellis moved the rules be suspended to allow him to be recorded as voting yes on HB 256, second reading, the previous legislative day. Motion carried.

Representative Galvin moved he be allowed to change his vote on HB 222, third reading, from no to yes. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:00 p.m., Monday, April 8, 1991. Motion carried.

House adjourned at 4:40 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

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Held in Helena, the Seat of Government
Commencing in Regular Session January 7, 1991
and Ending April 29, 1991

HAL HARPER
Speaker of the House

JOYCE ANDRUS
Chief Clerk of the House

Published by

Montana Legislative Council

SEVENTY-FOURTH LEGISLATIVE DAY

Helena, Montana — House Chambers
April 8, 1991 — State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Reverend David Orendorff. Pledge of Allegiance to the Flag.

Roll call. All members present except Forrester, Larson, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the sixty-fifth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/8/91
Correctly engrossed: SB 37, SB 82, SB 105, SB 174, SB 178, SB 211, SB 215, SB 229, SB 236, SB 253, SB 269, SB 274, SB 301, SB 314, SB 326, SB 331, SB 362, SB 363, SB 366, SB 368, SB 377, SB 385, SB 391, SB 394, SB 395, SB 420, SB 434, SB 437, SJR 16, SJR 18, SJR 20, SJR 21, SJR 23, SJR 24, SJR 25.
Delivered to the Governor for his approval at 10:15 a.m., 4/8/91: HB 741, HB 926.

JUDICIARY (Strizich, Chairman): 4/8/91
SB 379, third reading copy, be amended as follows (corrected copy):

1. Title, lines 4 through 9.
Strike: "PROVIDING" on line 4 through "AUTHORITY" on line 9
Insert: "RELATING TO THE AUTHORITY OF PROBATION AND PAROLE OFFICERS"

2. Title, line 10.
Strike: "AUTHORIZING"
Insert: "REQUIRING"

3. Title, line 11.
Following: "OFFICERS"
Insert: "AND REQUIRING THE OFFICERS TO RECEIVE THE TRAINING"
Following: ";"
Insert: "PROVIDING A DISABILITY BENEFIT FOR PROBATION AND PAROLE OFFICERS INJURED ON THE JOB AND UNABLE TO RETURN TO WORK;"

4. Title, line 12.
Strike: "45-8-317, 46-1-201,"

5. Page 2, line 3 through page 4, line 19.
Strike: sections 1 through 3 in their entirety
Renumber: subsequent sections

6. Page 6, line 8.
Strike: "may"

Insert: "shall"

7. Page 7, line 4.
Following: "44-4-301."
Insert: "The training must be at the Montana law enforcement academy unless the board finds that training at some other place is more appropriate."

8. Page 7.
Following: line 4
Insert: "NEW SECTION. Section 4. Payment of partial salary to probation or parole officer injured in performance of duty. (1) A probation or parole officer who is injured in the performance of duty must be paid by the department of institutions at the times he would have otherwise received his paychecks. He must receive his salary minus amounts equal to income taxes that he need not pay due to the injury and minus any amount received from workers' compensation until he is able to return to work, as determined under the workers' compensation laws, or for a period not to exceed 1 year, whichever occurs first.

(2) To qualify for the payments provided for in subsection (1), the probation or parole officer must require medical or other remedial treatment and must be incapable of performing his duties as a result of the injury."
Renumber: subsequent section

9. Page 7, lines 6 and 8.
Strike: "1"
Insert: "4"

And, as amended, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill No. 49
Report No. 1, April 8, 1991

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 49, considered and recommend Senate Bill No. 49 (reference copy - salmon) be amended as follows:

1. Title, line 12.
Following: "SECTIONS"
Strike: "46-18-201,"
Following: "46-18-231"
Strike: ","

2. Page 2, line 1.
Following: "~~or~~"
Insert: "less than 3 years or"

3. Page 2, line 12 through page 5, line 20.
Strike: section 2 in its entirety
Renumber: subsequent sections

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Pinsoneault, Chairman	Driscoll, Chairman
Waterman	Cocchiarella
Rye	Boharski

Free Conference Committee
on Senate Bill No. 171
Report No.1, April 8, 1991

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 171, met and considered Senate Bill No. 171.

We recommend that Senate Bill No. 171 (reference copy - salmon) be amended as follows:

1. Page 3, line 9.
Strike: "$12"
Insert: "$13"

2. Page 3, line 16.
Following: "$40"
Insert: "beginning March 1, 1992, and $45 beginning March 1, 1994,"

3. Page 7, line 2.
Following: "1994"
Insert: ", and $13 beginning March 1, 1994"

4. Page 7, line 5.
Following: "$15"
Strike: "$12"
Insert: "$13"

5. Page 7, line 6.
Following: "1994"
Insert: ", and $16 beginning March 1, 1994"

6. Page 7, line 9.
Following: "$15"
Strike: "$12"
Insert: "$13"

7. Page 7, line 10.
Following: "1994"

Insert: ", and $16 beginning March 1, 1994"

8. Page 8, line 20.
Following: "$462"
Insert: "beginning March 1, 1992, and $475 beginning March 1, 1994,"

9. Page 8, line 21.
Following: "$472"
Insert: "beginning March 1, 1992, and $485 beginning March 1, 1994,"

10. Page 9, line 14.
Following: "~~$373~~"
Strike: "$385"
Insert: "$398"

11. Page 9, line 15.
Following: "fee of"
Strike: "$395"
Insert: "$408"

12. Page 10, line 22.
Following: "$238"
Insert: "beginning March 1, 1992, and $245 beginning March 1, 1994,"

13. Page 10, line 23.
Following: "$248"
Insert: "beginning March 1, 1992, and $250 beginning March 1, 1994,"

14. Page 11, line 16.
Strike: "$213"
Insert: "$220"

15. Page 11, line 17.
Strike: "$223"
Insert: "$225"

16. Page 12, line 15.
Following: "$450"
Insert: "beginning March 1, 1992, and $475 beginning March 1, 1994"

17. Page 12, line 18.
Following: "$450"
Insert: "beginning March 1, 1992, and $475 beginning March 1, 1994"

18. Page 12, line 21.
Following: "$450"
Insert: "beginning March 1, 1992, and $475 beginning March 1, 1994"

19. Page 12, line 22.
Strike: "$8"
Insert: "$9"

20. Page 12, line 23.

Following: "~~1994~~"
Insert: ", and $11 beginning March 1, 1994"

21. Page 12, line 24.
Following: "$145"
Insert: "beginning March 1, 1992, and $150 beginning March 1, 1994"

22. Page 13, line 19.
Strike: "$430"
Insert: "$455"

23. Page 13, line 21.
Strike: "$430"
Insert: "$455"

24. Page 13, line 23.
Strike: "$430"
Insert: "$455"

25. Page 13, line 24.
Strike: "$8"
Insert: "$11"

26. Page 13, line 25.
Strike: "$125"
Insert: "$130"

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Svrcek, Chairman	Daily, Chairman
Weeding	Schye
Rye	Grady

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker
House of Representatives
State Capitol
Helena, Montana 59620

April 6,1991

The Honorable Joseph P. Mazurek
President
Montana State Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto the adoption of House Bill

535, "AN ACT PROVIDING FOR CITIZEN ENFORCEMENT OF ELECTION AND CAMPAIGN PRACTICES LAWS; AND AMENDING SECTIONS 13-37-128 AND 13-37-129, MCA."

House Bill 535 degrades the civil and criminal prosecution system that has been elaborately maintained to enforce election and campaign laws in this state. To empower a private citizen to enforce campaign practice laws on behalf of this state is notable and fills the legislative halls with inexpensive political rhetoric that transcends the reality of the real motive behind this legislation.

Presently, the commissioner of campaign practices, the attorney general and the respective elected county attorneys of this state are empowered to enforce the law and to seek and prosecute election and campaign practice violations. These individuals are trained professional prosecutors, two of which are directly accountable to the people through the election process. This legislation is clearly suggesting that there is no faith in the ability and integrity of the commissioner, the Attorney General or 56 respective county attorneys.

Public service through election to various positions of responsibility is the highest honor bestowed upon an individual by local, county or state government. Public service also requires great sacrifices to the individual and their family who seek public office. This bill, in its present form, would provide another political tool to irresponsible individuals to harass and use the judicial system for purely political purposes. Many fine potential individuals will be dissuaded from entering into public life if they realize that an individual may pursue a prosecution for allegations that are not substantiated during and after the election.

The legislation, as presented, will relieve the responsibilities of the commissioner of political practices, the attorney general and the county attorneys to promptly and responsibly resolve allegations of campaign election law violations. These public officers must execute the responsibilities of their office and either prosecute or dismiss the complaint based on the merit of the complaint and the facts. They have the proper investigatory power and are accountable to their constituents.

To allow a private citizen the opportunity to second-guess or alternatively prosecute alleged violations of campaign practices makes about as much sense as allowing a private citizen to criminally prosecute an individual for an alleged crime, whether it be assault or robbery, when the county has determined there is no merit to the case. Vigilante justice should remain in our history books, not our law books.

I, therefore, veto House Bill 535. It is bad legislation. It degrades the integrity of the commissioner of political practices, attorney general and the county attorneys. It satisfies no demonstrated public policy concern and it invites political deviance at the expense of the public trust and public money.

Sincerely,

STAN STEPHENS
Governor

The Honorable Joseph P. Mazurek April 8, 1991
President of the Senate
State Capitol
Helena, Montana 59620

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

Dear President Mazurek and Speaker Harper:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto the adoption of Senate Bill 190, "AN ACT REVISING THE METHOD OF ENFORCEMENT AND PENALTIES FOR UNFAIR TRADE PRACTICES; REPEALING SECTION 30-14-222, MCA."

The intentions of Senate Bill 190's sponsors and proponents are laudable. Businesses of every size must have adequate protection against predatory practices of other businesses. However, Senate Bill 190 is a punitive bill aimed at the very heart of legitimate Montana businesses. By allowing suit by a remotely interested party and the pursuit of "double damages," this bill will spur an endless stream of debilitating lawsuits and create an anti-business climate for our state.

Proponents contend there is no need to fear frivolous law suits because plaintiffs would be facing financial suicide in bringing unsound actions. The provisions of this bill declare vociferously that such fear is justified. The double damages provided for in this legislation will precipitate increased litigation against businesses in Montana. Even if suits are not tried, businesses will be forced to incur additional legal expenses and will be pressured into seeking to settle cases to avoid the risk of trial. The double damage provision will be an incentive to bring suit in very weak cases.

Additionally, Senate Bill 190 allows any person to bring suit against a business if they purchase directly or indirectly, sell directly or indirectly, or deal in the same commodity or service as the alleged violator. There are six possible groups of plaintiffs. Because the damages are doubled, there is a possibility of a recovery of twelve times the actual damages. This is the kind of potential which creates a paradise for litigation lawyers. Montana businesses cannot afford this phenomenal degree of possible liability.

Montana businesses are not naked prey to the ravages of big business as this bill would imply. Current federal anti-trust law provides more than adequate remedies for aggrieved individuals.

Senate Bill 190 runs contrary to important legal precedence. The U.S. Supreme Court (Illinois Brick Co. v. Illinois, 431 U.S. 720 (1977) prohibited

indirectly injured parties from suing. The Court rejected suits by indirectly injured parties because it would expose defendants to multiple liability and would unduly burden the courts and parties with costly and prolonged trials to determine who was injured and by how much.

The one ameliorating factor in the bill is the discretion given the court to mitigate the harsh provisions of this law. However, this discretion applies only to direct purchasers and indirect purchasers but not to the other potential groups of plaintiffs. This is discriminatory and violates equal protection principles of the State and Federal Constitutions.

Numerous Montana organizations that initially supported this legislation have requested a veto. These groups include Montana Certified Public Accounts, Montana Stockgrowers, the Montana Grain Growers, Montana Automobile Dealers' Association, the Montana Wool Growers, Montana Cattlewomen, the Montana Farm Bureau and the Montana Independent Elevator Operators. They speak in a unified voice regarding this legislation.

Senate Bill 190 represents another chilling impact on the course of business in this state. Fair trade practices cases are inherently complex and legally expensive. By stimulating an increased volume of business litigation, not only would Senate Bill 190 drive up the cost of doing business in Montana, it would also represent a significant impediment to our efforts to attract new businesses to the state.

For these reasons, I find it essential to veto Senate Bill 190 and prevent Montana businesses from being litigated into oblivion.

Sincerely,
STAN STEPHENS
Governor

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Ream in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 42 - Representative O'Keefe moved HJR 42 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Foster, Galvin, Gervais, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, J.

Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Bergsagel, Boharski, Cobb, Feland, Gilbert, Gould, M. Hanson, Hoffman, Kasten, Knox, Phillips, Simpkins.
Total 12

Voted Absentee: Larson, Aye.

Excused: Forrester.
Total 1

Absent or not voting: Kadas, Ream, Whalen.
Total 3

HJR 49 - Representative Toole moved HJR 49 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dowell, Driscoll, Fagg, Forrester, Galvin, Gould, S. J. Hansen, Hoffman, J. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Larson, Madison, McCulloch, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 60

Noes: Barnett, Beck, Benedict, Bergsagel, Cohen, Daily, R. DeBruycker, Dolezal, Ellis, Ellison, Feland, Foster, Gervais, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, R. Johnson, Keller, Knox, Lee, McCaffree, McCarthy, Measure, Mercer, L. Nelson, Pavlovich, Peterson, Phillips, Quilici, Simpkins, Stang, Steppler, Swysgood, Thoft, Zook.
Total 39

Voted Absentee: Forrester, Larson, Ayes.

Excused: None.
Total 0

Absent or not voting: Elliott.
Total 1

HB 782 - Representative Hansen moved the conference committee report #1 to HB 782 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington,

Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Bergsagel, Cobb, Connelly, Feland, Hoffman, Peterson.
Total 6

Voted Absentee: Larson, Aye.

Excused: Forrester.
Total 1

Absent or not voting: Boharski.
Total 1

HB 293 - Representative Grinde moved HB 293, third reading copy, be amended as follows (amendment #1):

1. Title, line 7.
Strike: "EVERY 2 YEARS"
Insert: "IN EVEN-NUMBERED YEARS"

2. Page 1, line 14.
Strike: "EVERY"
Strike: "2 YEARS"
Insert: "each even-numbered year"

3. Page 1, line 25 through page 2, line 1.
Following: "~~numbered~~" on line 25
Strike: remainder of line 25 through "2" on line 1
Insert: "even-numbered"

4. Page 2, line 3.
Strike: line 3 in its entirety
Insert: "even-numbered"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires,

Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Connelly, Nisbet.
Total 2

Excused: Forrester, Larson, Messmore.
Total 3

Absent or not voting: Cohen, Fagg.
Total 2

Representative Grinde moved HB 293, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cody, Connelly, Darko, Davis, Dolezal, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 77

Noes: Bardanouve, Bergsagel, Brooke, Cocchiarella, Cohen, Daily, J. DeBruycker, R. DeBruycker, Dowell, Elliott, Gould, H. S. Hanson, Kadas, Kilpatrick, McCulloch, Measure, Nisbet, Peck, Squires, Stang, Whalen, Wyatt.
Total 22

Voted Absentee: Forrester, Larson, Messmore, Ayes.

Excused: None.
Total 0

Absent or not voting: Cromley.
Total 1

HB 294 - Representative Grinde moved HB 294 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cody, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, O'Keefe,

Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 85

Noes: Brooke, Cocchiarella, Cohen, J. DeBruycker, Elliott, Gould, Kilpatrick, Nisbet, Peck, Schye, Squires, Stang, Whalen, Wyatt.
Total 14

Voted Absentee: Forrester, Larson, Ayes.

Excused: Messmore.
Total 1

Absent or not voting: None.
Total 0

HB 471 - Representative R. Johnson moved Governor's amendments to HB 471 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Messmore.
Total 3

Absent or not voting: None.
Total 0

HB 504 - Representative Driscoll moved Governor's amendments to HB 504 be passed for the day. Motion carried.

HB 567 - Representative Fagg moved Governor's amendments to HB 567 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Conen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: D. Brown, Daily.
Total 2

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Messmore.
Total 3

Absent or not voting: None.
Total 0

HB 758 - Representative Barnhart moved Governor's amendments to HB 758 be not concurred in. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 57

Noes: Barnett, Becker, Benedict, Bergsagel, Boharski, Clark, R. DeBruycker, Ellis, Ellison, Fagg, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, T. Nelson, Peterson, Phillips, Simpkins, Southworth, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 39

Voted Absentee: Forrester, Larson, Ayes.

Excused: Cobb, Messmore.
Total 2

Absent or not voting: Bardanouve, Feland.
Total 2

HB 864 - Representative Gould moved Governor's amendments to HB 864 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Messmore.
Total 3

Absent or not voting: Raney.
Total 1

SB 10 - Representative Scott moved Governor's amendments to SB 10 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: None.
Total 0

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Messmore.
Total 3

Absent or not voting: Connelly, Hayne.
Total 2

SB 56 - Representative Strizich moved Governor's amendments to SB 56 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: None.
Total 0

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Madison, Messmore.
Total 4

Absent or not voting: Boharski, Connelly, Ellison.
Total 3

SB 59 - Representative J. Rice moved Governor's amendments to SB 59 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring,

Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: None.
Total 0

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Madison, Messmore.
Total 4

Absent or not voting: Connelly, Grinde.
Total 2

SB 120 - Representative McCarthy moved Governor's amendments to SB 120 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Feland, Simpkins.
Total 2

Voted Absentee: Forrester, Larson, Ayes.

Excused: Cobb, Madison, Messmore.
Total 3

Absent or not voting: Bergsagel, Connelly, Grinde, Phillips, Quilici.
Total 5

SB 148 - Representative Kilpatrick moved Governor's amendments to SB 148 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox,

Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Messmore.
Total 3

Absent or not voting: Ellis.
Total 1

SB 310 - Representative Russell moved Governor's amendments to SB 310 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Messmore.
Total 3

Absent or not voting: None.
Total 0

HB 29 - Representative Kimberley moved Senate amendments to HB 29 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Boharski, Bradley, Brooke, J. Brown, Clark, Cody, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal,

Ellison, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Ream, J. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stickney, Strizich, Thomas, Wyatt, Zook, Mr. Speaker.
Total 56

Noes: Bachini, Becker, Benedict, Bergsagel, D. Brown, Cocchiarella, Cohen, J. DeBruycker, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Foster, Gilbert, M. Hanson, Hayne, Kasten, Knox, Lee, McCulloch, Measure, Mercer, L. Nelson, T. Nelson, Phillips, Raney, Simpkins, Stang, Steppler, Swysgood, Thoft, Tunby, Wallin, Wanzenried, Whalen.
Total 37

Voted Absentee: Kadas, Larson, Ayes.

Excused: Cobb, Forrester, Messmore.
Total 3

Absent or not voting: Connelly, Quilici, S. Rice, Toole.
Total 4

HB 37 - Representative Davis moved Senate amendments to HB 37 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Boharski, Cody, Scott, Southworth, Swysgood, Whalen.
Total 6

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Kadas, Messmore.
Total 4

Absent or not voting: None.
Total 0

HB 59 - Representative Harrington moved Senate amendments to HB 59 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellison, Fagg, Feland, Foster, Galvin, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 83

Noes: Boharski, D. Brown, Driscoll, Knox, L. Nelson, Scott, Wyatt.
Total 7

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Kadas, Messmore.
Total 4

Absent or not voting: Ellis, Gervais, Grinde, Phillips, Quilici, Simpkins.
Total 6

HB 62 - Representative Stang moved Senate amendments to HB 62 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Elliott, Ellis, Ellison, Fagg, Feland, Galvin, Gervais, Gilbert, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kilpatrick, Kimberley, Larson, Madison, McCarthy, Measure, T. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Spring, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 66

Noes: Barnett, Benedict, Bergsagel, D. Brown, Connelly, J. DeBruycker, Dowell, Driscoll, Foster, Gould, Grady, Hoffman, Kasten, Keller, Knox, Lee, McCaffree, McCulloch, Menahan, Mercer, L. Nelson, Nisbet, Phillips, Scott, Squires, Steppler, Tunby, Wyatt.
Total 28

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Kadas, Messmore.
Total 4

Absent or not voting: Quilici, Simpkins.
Total 2

HB 110 - Representative Gilbert moved Senate amendments to HB 110 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Connelly.
Total 1

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Kadas, Messmore.
Total 4

Absent or not voting: None.
Total 0

HB 139 - Representative Raney moved Senate amendments to HB 139 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: Benedict, Clark, Cody, R. DeBruycker, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, L. Nelson, Spring, Swysgood, Thoft, Thomas, Tunby.
Total 15

Voted Absentee: Cobb, Forrester, Larson, Ayes.

Excused: Kadas, Messmore.
Total 2

Absent or not voting: None.
Total 0

HB 150 - Representative Whalen moved Senate amendments to HB 150 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Clark, Thomas.
Total 2

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Kadas, Messmore.
Total 4

Absent or not voting: Quilici.
Total 1

HB 162 - Representative Gilbert moved Senate amendments to HB 162 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Bergsagel, Cobb.
Total 2

Voted Absentee: Larson, Aye; Cobb, No.

Excused: Forrester, Kadas, Messmore.
Total 3

Absent or not voting: Boharski, Bradley.
Total 2

HB 195 - Representative Kilpatrick moved Senate amendments to HB 195 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, J. Johnson, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: Benedict, Boharski, Clark, R. DeBruycker, Ellis, Grady, Hayne, Hoffman, R. Johnson, Kasten, Keller, Peterson, Phillips, Thomas, Tunby.
Total 15

Voted Absentee: Forrester, Larson, Ayes.

Excused: Cobb, Kadas, Messmore.
Total 3

Absent or not voting: Quilici.
Total 1

HB 209 - Representative Wallin moved Senate amendments to HB 209 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich,

Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Bergsagel, Peck.
Total 2

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Kadas, Messmore.
Total 4

Absent or not voting: Boharski, Dolezal, McCulloch, Quilici, Schye, Stang.
Total 6

Representative Darko moved Senate amendments to HB 228 and Senate amendments to HB 252 be passed for the day. Motion carried.

HB 240 - Representative Raney moved Senate amendments to HB 240 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 66

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, J. DeBruycker, R. DeBruycker, Ellis, Feland, Foster, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Mercer, L. Nelson, Peterson, Phillips, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Zook.
Total 29

Voted Absentee: Forrester, Larson, Ayes.

Excused: Cobb, Kadas, Messmore.
Total 3

Absent or not voting: Ellison, Quilici.
Total 2

HB 261 - Representative Kilpatrick moved Senate amendments to HB 261 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland,

Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Bergsagel.
Total 1

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Messmore.
Total 3

Absent or not voting: None.
Total 0

HB 268 - Representative Measure moved Senate amendments to HB 268 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Benedict, Boharski.
Total 2

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Messmore.
Total 3

Absent or not voting: Kadas.
Total 1

HB 272 - Representative Bradley moved Senate amendments to HB 272 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: None.
Total 0

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Messmore.
Total 3

Absent or not voting: Boharski, Bradley, Quilici, Thoft.
Total 4

HB 292 - Representative Benedict moved Senate amendments to HB 292 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Boharski, Cohen, Measure.
Total 3

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Messmore.
Total 3

Absent or not voting: None.
Total 0

HB 303 - Representative Bradley moved Senate amendments to HB 303 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Becker, Cohen, Darko, Measure, Southworth, Toole, Wanzenried.
Total 7

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Messmore.
Total 3

Absent or not voting: Boharski, Strizich.
Total 2

HB 306 - Representative Barnett moved Senate amendments to HB 306 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 93

Noes: Cohen, Larson, Wyatt.
Total 3

Voted Absentee: Larson, No.

Excused: Cobb, Forrester, Messmore.
Total 3

Absent or not voting: S. Rice.
Total 1

HB 309 - Representative D. Brown moved Senate amendments to HB 309 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Bergsagel, Cobb, Cohen, Kadas, Knox, Phillips, Simpkins, Southworth, Stang.
Total 9

Voted Absentee: Larson, Aye; Cobb, No.

Excused: Forrester, Messmore.
Total 2

Absent or not voting: Ellis.
Total 1

HB 325 - Representative Simpkins moved Senate amendments to HB 325 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: J. DeBruycker, S. J. Hansen.
Total 2

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Messmore.
Total 3

Absent or not voting: Connelly, M. Hanson, Phillips, Russell.
Total 4

HB 328 - Representative Simpkins moved Senate amendments to HB 328 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Stang.
Total 1

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Messmore.
Total 3

Absent or not voting: Cohen, Ellis, Ellison, Hoffman.
Total 4

HB 335 - Representative J. Johnson moved Senate amendments to HB 335 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stang, Steppler, Stickney, Strizich,

Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Daily.
Total 1

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Messmore.
Total 3

Absent or not voting: Squires.
Total 1

Representative Dowell in the Chair at this time.

HB 336 - Representative Simpkins moved Senate amendments to HB 336 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Boharski, Peterson.
Total 2

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Messmore.
Total 3

Absent or not voting: Bardanouve.
Total 1

HB 338 - Representative Ream moved Senate amendments to HB 338 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson,

M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Barnett, Feland, Hayne, Phillips, Swysgood.
Total 5

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Messmore.
Total 3

Absent or not voting: None.
Total 0

HB 342 - Representative Wanzenried moved Senate amendments to HB 342 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, J. Johnson, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 54

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Connelly, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kadas, Kasten, Keller, Knox, Lee, Mercer, L. Nelson, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Stang, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 41

Voted Absentee: Forrester, Larson, Ayes.

Excused: Cobb, Messmore.
Total 2

Absent or not voting: Grady, Hoffman, Ream.
Total 3

HB 359 - Representative Harper moved Senate amendments to HB 359 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark,

Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Connelly, Stang.
Total 2

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Messmore.
Total 3

Absent or not voting: Cody, Grinde, M. Hanson, Simpkins.
Total 4

HB 405 - Representative Wallin moved Senate amendments to HB 405 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Becker, Cromley, T. Nelson, Swysgood.
Total 4

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Kadas, Messmore.
Total 4

Absent or not voting: Ellison, Grinde, Phillips.
Total 3

HB 419 - Representative Mercer moved Senate amendments to HB 419 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Boharski, Clark, R. Johnson, Stang.
Total 4

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Kadas, Messmore.
Total 4

Absent or not voting: D. Brown, Driscoll, M. Hanson.
Total 3

HB 431 - Representative Schye moved Senate amendments to HB 431 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 76

Noes: Bardanouve, Bergsagel, R. DeBruycker, Ellis, Ellison, Grady, Grinde, H. S. Hanson, Hayne, Hoffman, Knox, Lee, Mercer, Peterson, Phillips, S. Rice, Spring, Swysgood, Thoft, Zook.
Total 20

Voted Absentee: Forrester, Larson, Ayes.

Excused: Cobb, Kadas, Messmore.
Total 3

Absent or not voting: M. Hanson.
Total 1

HB 465 - Representative Mercer moved Senate amendments to HB 465 be passed for the day. Motion carried.

HB 467 - Representative Lee moved Senate amendments to HB 467 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: None.
Total 0

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Kadas, Messmore.
Total 4

Absent or not voting: M. Hanson.
Total 1

HB 470 - Representative McCarthy moved Senate amendments to HB 470 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Bergsagel, Cobb, Hayne, Kasten, Lee, Stang.
Total 6

Voted Absentee: Forrester, Larson, Ayes; Cobb, No.

Excused: Kadas, Messmore.
Total 2

Absent or not voting: Ellison, M. Hanson, McCulloch.
Total 3

HB 472 - Representative J. DeBruycker moved Senate amendments to HB 472 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Boharski.
Total 1

Voted Absentee: Forrester, Larson, Ayes.

Excused: Cobb, Kadas, Messmore.
Total 3

Absent or not voting: Ellison, M. Hanson.
Total 2

SB 379 - Representative McCarthy moved SB 379 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins,

Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 88

Noes: Barnhart, Brooke, Gilbert, Grinde, Measure, Mr. Speaker.
Total 6

Voted Absentee: Larson, Aye.

Excused: Cobb, Forrester, Kadas, Messmore.
Total 4

Absent or not voting: M. Hanson, Ream.
Total 2

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Dowell moved the adoption of the committee report. Report adopted. (91-2)

REPORTS OF STANDING COMMITTEES

TAXATION (Harrington, Chairman): 4/8/91
SB 93, third reading copy, be concurred in. Report adopted.
SB 111, third reading copy, be amended as follows:

1. Title, line 8.
Strike: ", TRANSPORT,"

2. Page 2, lines 1 and 2.
Strike: ", transportation,"

3. Page 2, line 11.
Strike: ", transport the material,"
Following: "process"
Strike: "it"
Insert: "the material"

4. Page 2, line 24.
Strike: ", transportation,"

5. Page 3, line 4.
Strike: "solely"
Insert: "primarily"

6. Page 3.
Following: line 15
Insert: "(1) "Collect" means the collection and delivery of reclaimable materials to a recycling or reclaimable materials processing facility."
Renumber: subsequent subsections

7. Page 4, line 3.

Strike: ", transport,"

8. Page 4, line 9.
Strike: ", transport,"

9. Page 4, line 14.
Strike: "1986"
Insert: "1990"

10. Page 4, line 19.
Strike: ", transport,"

11. Page 4, line 23.
Strike: ", transport,"

12. Page 5, line 2.
Strike: ", transport,"

13. Page 5, line 8.
Strike: ", transports,"

14. Page 5, line 15.
Strike: ", transportion,"

15. Page 5, line 22.
Strike: ", transports,"

16. Page 6, line 6.
Strike: ", transporting,"

Page 6, line 10.
Following: "collected,"
Strike: "transported,"

17. Page 6, line 16.
Strike: "1986"
Insert: "1990"

18. Page 7, lines 13 and 14.
Strike: ", transport,"

And, as amended, be concurred in. Report adopted.

SB 333, third reading copy, be amended as follows:

1. Title, line 15.
Following: ";"
Insert: "PROVIDING A LIMITED EXCEPTION ALLOWING CORPORATIONS THAT CURRENTLY USE SUBCHAPTER S. CORPORATION STATUS FOR FILING FEDERAL INCOME TAX AND REGULAR CORPORATION STATUS FOR FILING MONTANA INCOME TAX TO CONTINUE THAT METHOD OF FILING;"

2. Page 14, line 10.
Strike: "For purposes of this part"
Insert: "(1) Except as provided in subsection (2)"

3. Page 15, line 9.
Following: line 8
Insert: "(2) A corporation that would otherwise be a small business corporation may continue to be subject to the taxes imposed by Title 15, chapter 31, if all of the following conditions are met:

(a) on December 31, 1991, the corporation was doing business in Montana and had a valid Subchapter S. corporation election but had not elected to be taxed as a Montana small business corporation;

(b) after December 31, 1991, the corporation has not filed as a Montana small business corporation; and

(c) the corporation files a corporate license tax return, as required by 15-31-111, reporting all income or loss as determined under Title 15, chapter 31, and attaches a copy of the federal Subchapter S. corporate tax return."

And, as amended, be concurred in. Report adopted.

SB 370, third reading copy, be amended as follows:

1. Title, lines 10 and 11.
Strike: "FOR A VOLUNTARY INCOME TAX CHECKOFF"
Insert: "THAT THE DEPARTMENT OF JUSTICE MAY USE PROCEEDS FROM THE DANGEROUS DRUG TAX"

2. Title, line 12.
Strike: "15-30-121"
Insert: "15-25-122"

3. Title, lines 13 and 14
Strike: "AND A RETROACTIVE APPLICABILITY DATE"

4. Page 4, line 10 through page 10, line 10.
Strike: sections 6 through 10 in their entirety.
Insert: "Section 6. Section 15-25-122, MCA, is amended to read:

"15-25-122. Disposition of proceeds. (1) The department shall transfer all taxes collected pursuant to this chapter, less the administrative fee authorized in 15-25-111(1), to the state treasurer on a monthly basis.

(2) The state treasurer shall deposit one-third of the tax to the credit of the department of family services to be used for the youth evaluation program and chemical abuse aftercare programs.

(3) The treasurer shall credit the remaining two-thirds of the tax proceeds as follows:

(a) one-half to the department of justice to be used for grants to the Montana drug abuse resistance education trust fund account established in [section 1] and to youth courts to fund chemical abuse assessments and the detention of juvenile offenders in facilities separate from adult jails; and

(b) one-half to the account created by 44-12-206(3) if a state government law enforcement agency seized the drugs. If a local government law enforcement agency seized the drugs, then that amount must be credited to the treasurer or finance officer of the local government, be deposited in its general fund, and be used to enforce drug laws.""
Renumber: subsequent section

5. Page 10, lines 11 and 12.
Strike: "-- RETROACTIVE APPLICABILITY. (1)"
Insert: "."

6. Page 10, lines 14 through 18.
Strike: subsections (2) and (3) in their entirety

And, as amended, be concurred in. Report adopted.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

SB 236 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: R. DeBruycker, Ellison, Raney, Scott.
Total 4

Voted Absentee: Forrester, Larson, Ayes.

Excused: Cobb, Kadas, Messmore.
Total 3

Absent or not voting: M. Hanson, Thomas.
Total 2

MOTIONS

Representative Steppler moved the Speaker recall SB 318 from the Senate and the House reconsider its action on SB 318 taken on third reading the previous legislative day. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Mr. Speaker introduced this week's pages:

Kjetil Bolsøe, exchange student from Norway living in Clancy
Lynn Daily, Butte
Michelle Daily, Butte
Crystal Eagle Speaker, Heart Butte
Ginny McConnel, Hays
Jay Quilici, Butte
Doyle Tande, Scobey
Sara Winterburn, Helena
Kirsten Taylor, Polson, page to Minority Office

Representative Driscoll moved the House adjourn until 1:00 p.m., Tuesday, April 9, 1991. Motion carried.

House adjourned at 3:30 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

SEVENTY-FIFTH LEGISLATIVE DAY

Helena, Montana
April 9, 1991

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Wyatt. Pledge of Allegiance to the Flag.

Roll call. All members present except Barnhart, M. Hanson, Whalen, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the sixty-fourth legislative day, find the same to be correct.

Menahan, Chairman

SPECIAL ORDERS OF THE DAY

The House recognized and honored the University of Montana Grizzlies men's and women's basketball teams and their coaches.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/9/91

Correctly engrossed: HB 293, HB 294, HJR 42, HJR 49, SB 192, SB 195, SB 246, SB 266, SB 272, SB 313, SB 330, SB 379, SB 386, SB 389, SB 393, SB 409, SB 425, SB 456, SJR 17.

Correctly enrolled: HB 404, HB 487, HB 539, HB 543, HB 563, HB 570, HB 591, HB 613, HB 638, HB 690, HB 785, HB 814, HB 849, HB 877, HJR 38.

Examined by the sponsor and found to be correct:

HB 404 - Grinde
HB 487 - Wyatt
HB 539 - Daily
HB 543 - Darko
HB 563 - Knox
HB 570 - J. Rice
HB 591 - Southworth
HB 613 - Ellison
HB 638 - Schye
HB 690 - Harper
HB 785 - Messmore
HB 814 - Thoft
HB 849 - Bradley
HB 877 - Ream
HJR 38 - Squires

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 8, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 116, 173, 260, 485, 545, 571, 635, 639, 831 and 974 on April 8, 1991.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 9, 1991

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto the adoption of House Bill 729, "AN ACT TO DELETE LANGUAGE REQUIRING THAT AN EMPLOYEE'S DISQUALIFICATION FROM RECEIVING UNEMPLOYMENT BENEFITS FOR GOOD CAUSE MUST BE ATTRIBUTABLE TO EMPLOYMENT; AND AMENDING SECTIONS 39-51-2302 AND 39-51-2508, MCA."

The 1985 Legislature faced the difficult task of bringing solvency to Montana's unemployment insurance system. Due to a deep deficit in the Insurance Trust Fund, the state was forced to borrow money from the federal government.

Solvency was returned to the Fund through a series of legislative compromises that decreased benefits to workers and substantially increased costs on employers.

House Bill 729 would renege on that compromise and raise benefits to workers by an estimated $1.4 million per year. This will seriously jeopardize the solvency of the Insurance Trust Fund, and it will necessitate the increase of unemployment premium rates to employers. This is unacceptable.

House Bill 729 removes the provision that unemployment insurance benefits must be "attributable to the employment". That provision was inserted in the unemployment insurance laws as part of the legislative compromise of 1985. The premise behind the provision was that unemployment insurance benefits are designed as a safety net for those individuals who have lost employment through no fault of their own. The benefits must be restricted to those situations where the cause of the unemployment is employment related.

House Bill 729 expands the availability of benefits to any "good cause". Not only does that standard expand benefits beyond the purposes of

unemployment insurance but it acts to deplete the Unemployment Insurance Trust. We cannot allow history to repeat itself. It would result in imposition of additional unemployment insurance premiums on business and unstabilizes the trust fund for workers. This further stifles business and job growth. Montana cannot afford the loss of jobs.

House Bill 729 is a question of fairness. By imposing the "good cause" standard for determination of unemployment benefits, employers are being subjected to liability for benefits when an employee leaves of his or her own volition. Those benefits are designed for and must be maintained for those who lose jobs due to no action of their own.

For these reasons, I must veto House Bill 729.

Sincerely,

STAN STEPHENS
Governor

The Honorable Joseph P. Mazurek April 8, 1991
President of the Senate
State Capitol
Helena, Montana 59620

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

Dear President Mazurek and Speaker Harper:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to Senate Bill 157, "AN ACT TO GENERALLY REVISE THE LAWS RELATING TO ELECTIONS; REVISING THE LAWS RELATING TO COUNTY WATER AND SEWER DISTRICT ELECTIONS; PROHIBITING INDEPENDENT CANDIDATES FROM BEING ASSOCIATED WITH A POLITICAL PARTY FOR 1 YEAR PRIOR TO SEEKING OFFICE; ALLOWING FOR INSPECTION OF BALLOTS DURING A CANVASS; PROVIDING FOR STAGGERED TERMS FOR FIRE DISTRICT TRUSTEES; EXEMPTING ELECTION JUDGES FROM UNEMPLOYMENT INSURANCE COVERAGE; AMENDING SECTIONS 7-4-2611, 7-13-2214, 7-13-2225, 7-13-2241, 7-13-2247, 7-33-2106, 13-4-106, 13-10-503, 13-13-114, 13-13-115, 13-13-212, 13-14-115, 13-15-111, 13-15-403, 13-19-106, 13-19-206, 13-19-306, 13-19-308, 13-19-311, 13-19-312, 13-37-201, ~~AND~~ 13-37-225, ~~AND 39-51-204;~~ MCA; AND REPEALING SECTIONS 7-13-2237, 7-13-2238, 7-13-2239, 7-13-2240, 7-13-2242, 7-13-2244, AND 7-13-2245, MCA."

Senate Bill 157 makes several appropriate revisions to election laws. However, buried within the legislation is a provision restricting the right of an individual to be an independent candidate for office in this state if he or she has been associated with a political party within a year prior to his submission of a nomination petition for an elective office.

One of the fundamental principles of representative democracy is that any individual is free to be a candidate for election. In Article IV, Section 4 of our Montana Constitution limits this freedom in only two ways: 1) the individual must be a qualified elector and 2) cannot be a convicted felon who has yet to be released from state supervision. It is inappropriate to restrict the right of independent candidates beyond these constitutional parameters.

Having previously run for office as a partisan candidate or having held office with a political party designation is not compelling enough reason to restrict the right of an individual to appeal to his fellow citizens to elect him or her as an independent candidate. That decision should always remain with the people.

Therefore, I amend Senate Bill 157 to delete this restriction on the right of independent candidates to run for political office in Montana, and urge your concurrence.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
SENATE BILL 157
(REFERENCE COPY, AS AMENDED)
April 8, 1991

1. Title, lines 7 through 9.
Following: "ELECTIONS;"
Strike: "PROHIBITING INDEPENDENT CANDIDATES FROM BEING ASSOCIATED WITH A POLITICAL PARTY FOR 1 YEAR PRIOR TO SEEKING OFFICE;"

2. Page 9, lines 5 through 13.
Strike: section 9 in its entirety
Renumber: subsequent sections

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Boharski in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 47 - Representative Gould moved HJR 47 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb,

Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: Lee, Zook.
Total 2

HJR 46 - Representative Bachini moved HJR 46 do pass.

Representative Hansen made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Hansen moved HJR 46, second reading copy, be amended as follows (amendment #1):

1. Title, line 6.
Following: "WRESTLING"
Insert: "AND SKYLIGHTS WOMEN'S BASKETBALL"

2. Title, line 7.
Strike: "DAY"
Insert: "DAYS"

3. Page 2, line 21.
Following: "athletes"
Insert: "; and

WHEREAS, the Northern Montana College Skylights women's basketball team had a record of 30-5 in the last season; and

WHEREAS, the Northern Montana College Skylights women's basketball team has made it to the NAIA national tournament in Jackson, Tennessee, for the last 2 years and the Skylights made it to the last round this year, only to be defeated by the national champions; and

WHEREAS, 9 of the 11 members of the Northern Montana College Skylights are Montanans; and

WHEREAS, Patty Pohle, a senior from Great Falls, was named Academic All-American; Shelly Hermanson, a senior from Wisconsin, Patti Weed from Kalispell, and Sheila Green from Boulder made the All-Conference 1st Team; and Shelly Hermanson was also named All-District XII and All-American 3rd Team"

4. Page 3, line 2.
Following: "team"
Insert: "and Northern Montana College Skylights women's basketball team"

5. Page 3, line 5.
Following: "Day"
Insert: "and a Northern Montana College Skylights Women's Basketball Appreciation Day"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Voted Absentee: Barnhart, Aye.

Excused: M. Hanson, Whalen.
Total 2

Absent or not voting: Gilbert, Lee.
Total 2

Representative Bachini moved HJR 46, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree,

McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 93

Noes: Boharski.
Total 1

Voted Absentee: Whalen, Aye.

Excused: Barnhart, M. Hanson.
Total 2

Absent or not voting: Gilbert, Lee, S. Rice, Zook.
Total 4

HB 1005 - Representative Driscoll moved HB 1005, second reading copy, be amended as follows (amendment #1):

1. Page 4, lines 24 and 25.
Strike: "EXCEPT FOR PROJECTS EMPLOYING JOURNEYMEN EMPLOYEES, THE"
Insert: "A"

Amendment #1 passed as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 77

Noes: Barnett, Benedict, Boharski, Cody, Connelly, Ellis, Ellison, Feland, Gould, H. S. Hanson, Hayne, Kasten, Peck, Spring, Swysgood, Thoft, Thomas, Wallin, Zook.
Total 19

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: Bardanouve, R. DeBruycker, Lee.
Total 3

Representative Connelly moved HB 1005, second reading copy, be further amended as follows (amendment #2). Amendment #2 failed as follows: (45-54)

Representative Connelly moved HB 1005, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, H. S. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Spring, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Barnhart, Beck, D. Brown, Daily, S. J. Hansen, Harrington, O'Keefe, Pavlovich, Russell, Southworth, Squires, Swysgood, Thoft.
Total 13

Voted Absentee: Whalen, Aye; Barnhart, No.

Excused: M. Hanson.
Total 1

Absent or not voting: Gilbert.
Total 1

HB 131 - Representative Brooke moved consideration of Governor's amendments to HB 131 be passed for the day. Motion carried.

HB 142 - Representative Swysgood moved Governor's amendments to HB 142 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Boharski, Ellison, R. Johnson, Phillips, Simpkins.
Total 5

Voted Absentee: Whalen, Aye.

Excused: Barnhart, M. Hanson.
Total 2

Absent or not voting: Grinde.
Total 1

HB 256 - Representative Driscoll moved Governor's amendments to HB 256 be not concurred in. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Forrester, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 63

Noes: Barnett, Benedict, Boharski, Clark, Cobb, Connelly, R. DeBruycker, Ellison, Fagg, Feland, Foster, Gould, Grinde, H. S. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 34

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: Bardanouve, J. Brown.
Total 2

HB 589 - Representative Peck moved Governor's amendments to HB 589 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth,

Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Bergsagel, Clark, R. DeBruycker, Ellison, Gilbert, Hayne, R. Johnson, Kasten, Peterson, Phillips, Spring, Wallin.
Total 12

Voted Absentee: Barnhart, Aye.

Excused: M. Hanson, Whalen.
Total 2

Absent or not voting: T. Nelson.
Total 1

SB 38 - Representative J. Rice moved Governor's amendments to SB 38 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Raney, Southworth.
Total 2

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: Benedict.
Total 1

SB 158 - Representative L. Nelson moved Governor's amendments to SB 158 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, J. Johnson,

R. Johnson, Kasten, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: Bradley, Brooke, Cromley, Davis, Ellis, Forrester, Grady, Hoffman, Kadas, Keller, Larson, Raney, Southworth, Stickney, Thomas.
Total 15

Excused: Barnhart, M. Hanson, Whalen.
Total 3

Absent or not voting: Peck.
Total 1

HB 228 - Representative Larson moved Senate amendments to HB 228 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Voted Absentee: Whalen, Aye.

Excused: Barnhart, M. Hanson.
Total 2

Absent or not voting: None.
Total 0

HB 252 - Representative Forrester moved Senate amendments to HB 252 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R.

DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: H. S. Hanson, R. Johnson, J. Rice.
Total 3

Voted Absentee: Whalen, Aye.

Excused: Barnhart, M. Hanson.
Total 2

Absent or not voting: None.
Total 0

HB 465 - Representative Thomas moved Senate amendments to HB 465 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: Whalen, Aye.

Excused: Barnhart, M. Hanson.
Total 2

Absent or not voting: Bardanouve.
Total 1

HB 144 - Representative Foster moved Senate amendments to HB 144 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: None.
Total 0

HB 152 - Representative Harrington moved Senate amendments to HB 152 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Barnett, Boharski, R. DeBruycker, Wallin.
Total 4

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: Benedict.
Total 1

HB 159 - Representative Connelly moved consideration of Senate amendments to HB 159 be placed below HB 233 on the second reading board. Motion carried.

HB 187 - Representative Driscoll moved Senate amendments to HB 187 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Southworth, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 72

Noes: Benedict, Cobb, R. DeBruycker, Ellis, Ellison, Feland, Foster, Grinde, Hayne, Kasten, Knox, Lee, Mercer, T. Nelson, Peck, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Thomas, Zook.
Total 23

Voted Absentee: Whalen, Aye.

Excused: Barnhart, M. Hanson.
Total 2

Absent or not voting: Bardanouve, S. Rice, Squires.
Total 3

HB 192 - Representative Wanzenried moved Senate amendments to HB 192 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: R. DeBruycker, Spring, Wallin.
Total 3

Excused: Barnhart, M. Hanson, Whalen.
Total 3

Absent or not voting: Kadas, Raney.
Total 2

HB 233 - Representative Measure moved consideration of Senate amendments to HB 233 be placed below HB 917 on the second reading board. Motion carried.

HB 159 - Representative Connelly moved Senate amendments to HB 159 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Benedict, R. DeBruycker, Feland, H. S. Hanson, R. Johnson, Lee, McCaffree, Swysgood, Thoft, Thomas.
Total 10

Voted Absentee: Whalen, Aye.

Excused: Barnhart, M. Hanson.
Total 2

Absent or not voting: None.
Total 0

HB 251 - Representative Driscoll moved Senate amendments to HB 251 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe,

Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: Stickney.
Total 1

HB 271 - Representative Driscoll moved Senate amendments to HB 271 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Becker, Cromley, R. DeBruycker, H. S. Hanson, O'Keefe, Peterson.
Total 6

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: None.
Total 0

HB 360 - Representative Harper moved Senate amendments to HB 360 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady,

Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: None.
Total 0

HB 417 - Representative Elliott moved Senate amendments to HB 417 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook.
Total 91

Noes: Cromley, Ellis, Forrester, Southworth, Wyatt.
Total 5

Voted Absentee: Barnhart, Aye.

Excused: M. Hanson, Whalen, Mr. Speaker.
Total 3

Absent or not voting: Bardanouve.
Total 1

HB 451 - Representative Brooke moved Senate amendments to HB 451 be concurred in.

Representative Toole made a substitute motion consideration of Senate amendments to HB 451 be placed below HB 549 on the second reading board. Motion carried.

HB 494 - Representative O'Keefe moved Senate amendments to HB 494 be concurred in.

Representative Strizich made a substitute motion Senate amendments to HB 494 be not concurred in. Motion carried as follows:

Ayes: Bardanouve, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, Dolezal, Driscoll, Elliott, Forrester, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, Menahan, Messmore, L. Nelson, Nisbet, Pavlovich, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wanzenried, Whalen, Wyatt, Zook.
Total 69

Noes: Bachini, Barnett, Barnhart, Bergsagel, J. Brown, Connelly, J. DeBruycker, R. DeBruycker, Dowell, Ellis, Ellison, Fagg, Feland, Foster, Grady, Grinde, Kadas, Keller, McCulloch, Measure, Mercer, T. Nelson, O'Keefe, Peck, Peterson, J. Rice, Tunby, Wallin, Mr. Speaker.
Total 29

Voted Absentee: Whalen, Aye; Barnhart, No.

Excused: M. Hanson.
Total 1

Absent or not voting: McCarthy.
Total 1

Representative Driscoll moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Boharski moved the adoption of the committee report. Report adopted. (88-5)

MESSAGES FROM THE SENATE

Senate bill returned by request of the House for further consideration:
4/9/91

SB 318, introduced by Weeding

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 9, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 175, 383, 390, 640, 641, 642, 700, 765, 858 and 952 on April 9, 1991.

Sincerely,

STAN STEPHENS
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

Senate Bill 318, returned by the Senate for reconsideration by the House, has been reintroduced and rereferred to Committee on Taxation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 782, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Bergsagel, Clark, Cobb, Peterson.
Total 4

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: None.
Total 0

HB 471, Governor's amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella,

Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Boharski, Daily.
Total 2

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: None.
Total 0

HB 567, Governor's amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: Lee, Schye.
Total 2

HB 864, Governor's amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Peck.
Total 1

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: Larson, S. Rice.
Total 2

SB 10, Governor's amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: None.
Total 0

SB 56, Governor's amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: None.
Total 0

SB 59, Governor's amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: Ellison.
Total 1

SB 120, Governor's amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Daily, Pavlovich.
Total 2

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: None.
Total 0

SB 148, Governor's amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: Kadas.
Total 1

SB 310, Governor's amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: None.
Total 0

HB 29, Senate amendments, concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Ellis, Forrester, Galvin, Gervais, Gould, Grady, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCarthy, Measure, Menahan, Nisbet, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stickney, Strizich, Thoft, Thomas, Toole, Whalen, Wyatt, Zook, Mr. Speaker.
Total 62

Noes: Bachini, Becker, Benedict, Bergsagel, D. Brown, Cobb, Cohen, J. DeBruycker, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Foster, Gilbert, Grinde, S. J. Hansen, Hayne, Kasten, Knox, Lee, McCulloch, Mercer,

Messmore, L. Nelson, T. Nelson, Phillips, Simpkins, Stang, Steppler, Swysgood, Tunby, Wallin, Wanzenried.
Total 35

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: O'Keefe.
Total 1

HB 37, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Bergsagel, Boharski, Cody, Forrester, Gilbert, Grinde, Raney, Schye, Southworth, Swysgood, Thoft.
Total 11

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: Ellis.
Total 1

HB 59, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires,

Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Boharski, D. Brown, Driscoll, Knox, L. Nelson.
Total 5

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: None.
Total 0

HB 62, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCarthy, Measure, Menahan, Messmore, T. Nelson, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, Russell, Schye, Simpkins, Southworth, Spring, Stang, Stickney, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 72

Noes: Benedict, Bergsagel, Connelly, J. DeBruycker, Driscoll, Fagg, Feland, Foster, Hoffman, Kasten, Knox, Lee, McCulloch, Mercer, L. Nelson, Nisbet, Peck, Peterson, Phillips, Scott, Squires, Steppler, Strizich, Tunby, Zook.
Total 25

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: S. Rice.
Total 1

HB 110, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici,

Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Connelly.
Total 1

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: Grady, Tunby.
Total 2

HB 150, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Peck.
Total 1

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: R. DeBruycker.
Total 1

HB 162, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure,

Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Bergsagel, D. Brown, Cobb, R. DeBruycker, Grinde, Peck, Peterson, Phillips, Swysgood, Thoft, Thomas.
Total 11

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: None.
Total 0

HB 195, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 77

Noes: Barnett, Benedict, Boharski, Clark, Cobb, R. DeBruycker, Ellis, Grady, H. S. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, Mercer, Peterson, Phillips, Spring, Tunby.
Total 20

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: S. Rice.
Total 1

HB 209, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas,

Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Bergsagel, Grinde.
Total 2

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: None.
Total 0

HB 261, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Feland, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Benedict, Bergsagel, Clark, Cobb, Fagg, Forrester, Gilbert, Kasten, Knox, Phillips.
Total 10

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: None.
Total 0

HB 268, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R.

DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Boharski, Knox.
Total 2

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: None.
Total 0

HB 272, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: None.
Total 0

HB 292, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Cohen.
Total 1

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: Ellis.
Total 1

HB 303, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Becker, Cohen, Measure, Peck, Southworth, Toole.
Total 6

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: S. Rice.
Total 1

HB 309, Senate amendments, concurred in as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Mr. Speaker.
Total 82

Noes: Bachini, Bardanouve, Benedict, Bergsagel, Cobb, Cohen, Elliott, Kadas, Knox, Measure, Phillips, Simpkins, Southworth, Stang, Wanzenried, Zook.
Total 16

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: None.
Total 0

HB 325, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Daily, Peck.
Total 2

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: None.
Total 0

HB 328, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Stang.
Total 1

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: None.
Total 0

HB 335, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: None.
Total 0

HB 336, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Boharski, Grinde, Peck, Peterson.
Total 4

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: None.
Total 0

HB 338, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Barnett, Cobb, Elliott, Feland, Grinde, Hayne, Phillips, Swysgood, Thoft.
Total 9

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: None.
Total 0

HB 359, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Benedict.
Total 1

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: None.
Total 0

HB 405, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins,

Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 85

Noes: Cobb, Cromley, Fagg, Feland, Grinde, T. Nelson, Peck, Quilici, J. Rice, Swysgood, Mr. Speaker.
Total 11

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: Beck, Kadas.
Total 2

HB 419, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Boharski, Peck, J. Rice, Toole.
Total 4

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: None.
Total 0

HB 431, Senate amendments, concurred in as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S.

Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Bardanouve, Barnett, Bergsagel, R. DeBruycker, Driscoll, Feland, Grinde, H. S. Hanson, Hayne, Kadas, Knox, Peterson, Spring, Thoft.
Total 14

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: None.
Total 0

HB 467, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Driscoll, Peck.
Total 2

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: S. Rice, Scott.
Total 2

HB 470, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure,

Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Benedict, Feland, Grinde, Hayne, Kasten, Lee.
Total 6

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: None.
Total 0

HB 472, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Boharski, Driscoll.
Total 2

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: None.
Total 0

SB 379 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington,

Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 89

Noes: Bergsagel, Cohen, R. DeBruycker, Gilbert, Grinde, Measure, L. Nelson, Mr. Speaker.
Total 8

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, McCaffree.
Total 2

Absent or not voting: Steppler.
Total 1

Representative Driscoll moved the House recess until 4:00 p.m. Motion carried.

House recessed at 3:05 p.m.

House reconvened at 4:00 p.m. Mr. Speaker in the Chair.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Darko moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Boharski in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 497 - Representative Darko moved Senate amendments to HB 497 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich,

Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Benedict, R. DeBruycker.
Total 2

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: Cobb, M. Hanson, McCarthy, Menahan, O'Keefe, Peterson, S. Rice, Steppler, Thomas.
Total 9

Absent or not voting: None.
Total 0

HB 500 - Representative Darko moved consideration of Senate amendments to HB 500 be passed for the day. Motion carried.

HB 513 - Representative Simpkins moved Senate amendments to HB 513 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Cody, Cohen, Ellison, S. J. Hansen, Measure, Peck, Scott.
Total 7

Excused: Bardanouve, Barnhart, J. DeBruycker, M. Hanson, McCarthy, Menahan, S. Rice, Steppler, Whalen.
Total 9

Absent or not voting: None.
Total 0

HB 534 - Representative Spring moved Senate amendments to HB 534 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S.

Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Ellison, McCaffree, Stang.
Total 3

Voted Absentee: Whalen, Aye.

Excused: Bardanouve, Barnhart, M. Hanson, McCarthy, Menahan, S. Rice, Steppler.
Total 7

Absent or not voting: None.
Total 0

HB 538 - Representative Bradley moved Senate amendments to HB 538 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Cobb, Cromley, Feland, Forrester, Knox, Peck, Simpkins.
Total 7

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: Bardanouve, M. Hanson, McCarthy, S. Rice, Steppler.
Total 5

Absent or not voting: Menahan.
Total 1

HB 549 - Representative Grady moved Senate amendments to HB 549 be concurred in. Motion carried as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen,

Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Bachini, Cobb, McCaffree, Peck.
Total 4

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: Bardanouve, Fagg, M. Hanson, McCarthy, Menahan, S. Rice, Steppler.
Total 7

Absent or not voting: None.
Total 0

HB 451 - Representative Brooke moved Senate amendments to HB 451 be concurred in.

Representative Toole made a substitute motion Senate amendments to HB 451 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Barnhart, Brooke, Kadas, Lee, Peterson, Schye, Whalen.
Total 7

Voted Absentee: Barnhart, Whalen, Noes.

Excused: Connelly, M. Hanson, Harrington, Steppler.
Total 4

Absent or not voting: None.
Total 0

HB 551 - Representative O'Keefe moved Senate amendments to HB 551 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: Bradley, M. Hanson, S. Rice, Steppler.
Total 4

Absent or not voting: None.
Total 0

HB 556 - Representative Ream moved Senate amendments to HB 556 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 94

Noes: Cromley, O'Keefe, Wyatt.
Total 3

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: Bradley, M. Hanson, Steppler.
Total 3

Absent or not voting: None.
Total 0

HB 557 - Representative Ream moved consideration of Senate amendments to HB 557 be placed below HB 607 on the second reading board. Motion carried.

HB 559 - Representative Fagg moved Senate amendments to HB 559 be concurred in.

Representative Measure made a substitute motion Senate amendments to HB 559 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 58

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Connelly, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 40

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, Steppler.
Total 2

Absent or not voting: None.
Total 0

HB 568 - Representative J. Rice moved Senate amendments to HB 568 be concurred in.

Representative D. Brown made a substitute motion Senate amendments to HB 568 be not concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellison, Foster, Gervais, Gilbert, Harrington, Hayne, J. Johnson, Kasten, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, L. Nelson, Nisbet, Pavlovich, Phillips, Quilici, Raney, Russell, Simpkins,

Squires, Steppler, Strizich, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook.
Total 56

Noes: Bardanouve, Benedict, Bradley, Brooke, Cody, Connelly, Cromley, Elliott, Ellis, Fagg, Feland, Forrester, Galvin, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Hoffman, R. Johnson, Keller, Knox, McCulloch, Messmore, T. Nelson, O'Keefe, Peck, Peterson, Ream, J. Rice, S. Rice, Schye, Scott, Southworth, Spring, Stang, Stickney, Toole, Tunby.
Total 39

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, Mercer, Mr. Speaker.
Total 3

Absent or not voting: Kadas, Wanzenried.
Total 2

HB 572 - Representative J. Rice moved Senate amendments to HB 572 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Clark, Southworth.
Total 2

Excused: Barnhart, M. Hanson, Mercer, Whalen.
Total 4

Absent or not voting: S. Rice.
Total 1

HB 576 - Representative Harper moved Senate amendments to HB 576 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady,

Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, Mercer.
Total 2

Absent or not voting: S. Rice, Thoft.
Total 2

HB 580 - Representative Schye moved Senate amendments to HB 580 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, Mercer.
Total 2

Absent or not voting: Ream, J. Rice.
Total 2

HB 607 - Representative Raney moved Senate amendments to HB 607 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: O'Keefe.
Total 1

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, Mercer.
Total 2

Absent or not voting: None.
Total 0

HB 557 - Representative Ream moved Senate amendments to HB 557 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, Mercer.
Total 2

Absent or not voting: None.
Total 0

HB 618 - Representative Bergsagel moved Senate amendments to HB 618 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 86

Noes: Brooke, Cobb, Dowell, Kadas, McCulloch, Measure, O'Keefe, Peck, Simpkins, Stang, Toole, Wyatt.
Total 12

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, Mercer.
Total 2

Absent or not voting: None.
Total 0

HB 620 - Representative Squires moved Senate amendments to HB 620 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Cromley, Measure.
Total 2

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, Mercer.
Total 2

Absent or not voting: Bergsagel, Toole.
Total 2

HB 629 - Representative McCulloch moved Senate amendments to HB 629 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Cromley, Stang.
Total 2

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson, Mercer.
Total 2

Absent or not voting: None.
Total 0

HB 631 - Representative McCulloch moved Senate amendments to HB 631 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring,

Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Bergsagel, D. Brown, Feland, Southworth, Swysgood, Thoft, Wallin.
Total 7

Voted Absentee: Whalen, Aye.

Excused: Barnhart, M. Hanson.
Total 2

Absent or not voting: Grinde.
Total 1

HB 643 - Representative Squires moved Senate amendments to HB 643 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 60

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cromley, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, H. S. Hanson, Hayne, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 39

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: None.
Total 0

HB 650 - Representative Squires moved Senate amendments to HB 650 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, Nisbet,

O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: Barnett, Benedict, Clark, J. DeBruycker, R. DeBruycker, S. J. Hansen, H. S. Hanson, Kasten, Keller, Knox, L. Nelson, T. Nelson, Peterson, Phillips, Simpkins, Stang, Swysgood, Thoft.
Total 18

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: None.
Total 0

HB 651 - Representative Harrington moved Senate amendments to HB 651 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Cromley.
Total 1

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: Strizich.
Total 1

HB 660 - Representative Cohen moved Senate amendments to HB 660 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella,

Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: Bergsagel.
Total 1

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: None.
Total 0

HB 668 - Representative Darko moved Senate amendments to HB 668 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: D. Brown, Cromley, Driscoll, Southworth, Stang.
Total 5

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: None.
Total 0

HB 672 - Representative Fagg moved Senate amendments to HB 672 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stang, Steppler, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Zook, Mr. Speaker.
Total 83

Noes: Brooke, J. Brown, Cohen, Driscoll, S. J. Hansen, Kadas, Measure, O'Keefe, Peck, S. Rice, Squires, Stickney, Wanzenried, Whalen, Wyatt.
Total 15

Voted Absentee: Barnhart, Aye; Whalen, No.

Excused: M. Hanson.
Total 1

Absent or not voting: Menahan.
Total 1

HB 678 - Representative Stang moved Senate amendments to HB 678 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Cobb.
Total 1

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: Pavlovich.
Total 1

HB 698 - Representative Scott moved Senate amendments to HB 698 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: Ellison.
Total 1

HB 703 - Representative Bradley moved Senate amendments to HB 703 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Cobb.
Total 1

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: Grinde.
Total 1

HB 705 - Representative Galvin moved Senate amendments to HB 705 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Boharski, J. Rice.
Total 2

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: Ellison.
Total 1

HB 706 - Representative Cohen moved Senate amendments to HB 706 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang,

Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 98

Noes: Wyatt.
Total 1

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: None.
Total 0

HB 711 - Representative Connelly moved Senate amendments to HB 711 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Bergsagel, Feland, Kasten, Keller, Mercer, T. Nelson, Phillips.
Total 7

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: Ellison.
Total 1

HB 715 - Representative Peck moved Senate amendments to HB 715 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison,

McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Feland, Hayne.
Total 2

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: Elliott, Phillips.
Total 2

HB 719 - Representative D. Brown moved Senate amendments to HB 719 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: Elliott.
Total 1

HB 723 - Representative Phillips moved Senate amendments to HB 723 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody,

Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Bergsagel, Brooke, Ellison.
Total 3

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: None.
Total 0

HB 730 - Representative D. Brown moved Senate amendments to HB 730 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Barnett, Bradley, Fagg, Gilbert, H. S. Hanson, R. Johnson, Kasten, Keller, Tunby.
Total 9

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: Grinde.
Total 1

HB 739 - Representative J. Rice moved Senate amendments to HB 739 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: Grinde, Toole.
Total 2

HB 747 - Representative Lee moved Senate amendments to HB 747 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: Grady, Hoffman.
Total 2

HB 757 - Representative Kadas moved Senate amendments to HB 757 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: Ellison, Menahan.
Total 2

HB 761 - Representative Peck moved Senate amendments to HB 761 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Boharski.
Total 1

Voted Absentee: Whalen, Aye.

Excused: Barnhart, M. Hanson.
Total 2

Absent or not voting: None.
Total 0

HB 763 - Representative Stang moved Senate amendments to HB 763 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: Whalen, Aye.

Excused: Barnhart, M. Hanson.
Total 2

Absent or not voting: Menahan.
Total 1

HB 767 - Representative Measure moved Senate amendments to HB 767 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang,

Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Becker, Cromley, Forrester, S. J. Hansen.
Total 4

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: Ellison, Grinde.
Total 2

HB 773 - Representative Stickney moved Senate amendments to HB 773 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Cromley.
Total 1

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: Ellison, Grinde, J. Rice.
Total 3

HB 776 - Representative Bergsagel moved Senate amendments to HB 776 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R.

Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Bachini, Peck.
Total 2

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: Swysgood.
Total 1

HB 807 - Representative R. Johnson moved Senate amendments to HB 807 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Voted Absentee: Barnhart, Whalen, Ayes.

Excused: M. Hanson.
Total 1

Absent or not voting: Ellis.
Total 1

HB 825 - Representative D. Brown moved Senate amendments to HB 825 be not concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Bachini, Barnhart, Brooke, Cohen, Cromley, Kadas, Measure, Peck, Ream, Southworth, Steppler, Toole.
Total 12

Voted Absentee: Whalen, Aye; Barnhart, No.

Excused: M. Hanson.
Total 1

Absent or not voting: Larson.
Total 1

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Boharski moved the adoption of the committee report. Report adopted. (91-4)

REPORTS OF STANDING COMMITTEES

HUMAN SERVICES AND AGING (Russell, Chairman): 4/9/91
SJR 26, third reading copy, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/9/91

HB 418, introduced by Madison
HB 446, introduced by T. Nelson

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/9/91

HB 300, introduced by O'Keefe
HB 441, introduced by Pavlovich
HB 511, introduced by R. Johnson
HB 518, introduced by Messmore

HB 645, introduced by L. Nelson
HB 856, introduced by Foster
HB 894, introduced by Kimberley
HB 901, introduced by Bardanouve

MOTIONS

Representative Driscoll moved the Speaker be authorized to appoint free conference committees to meet with like committees from the Senate to confer on Senate amendments to HB 139, HB 240 and HB 342. Motion carried.

Representative Driscoll moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 306. Motion carried.

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the conference committee on HB 306:

Representative Stang, Chairman
Representative Madison
Representative Barnett

Mr. Speaker appointed the following members to the free conference committee on HB 139:

Representative Raney, Chairman
Representative Driscoll
Representative Gilbert

Mr. Speaker appointed the following members to the free conference committee on HB 240:

Representative Raney, Chairman
Representative O'Keefe
Representative Grady

Mr. Speaker appointed the following members to the free conference committee on HB 342:

Representative Wanzenried, Chairman
Representative Driscoll
Representative Fagg

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:00 p.m., Wednesday, April 10, 1991. Motion carried.

House adjourned at 6:00 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

SEVENTY-SIXTH LEGISLATIVE DAY

Helena, Montana
April 10, 1991

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Reverend Jerry Lowney. Pledge of Allegiance to the Flag.

Roll call. All members present except Gervais, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/10/92
Correctly engrossed: HB 1005, HJR 46, HJR 47.
Correctly enrolled: HB 301, HB 353, HB 594, HB 659, HB 875, HB 893, HB 899, HJR 37.

REPORTS OF SELECT COMMITTEES

Conference Committee
on Senate Bill No. 267
Report No. 1, April 8, 1991

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill No. 267, met and considered the amendments in the House Standing Committee Report dated March 18, 1991.

We recommend that Senate Bill No. 267 (reference copy - salmon) be amended as follows:

1. Page 1, line 15.
Strike: "OR UNIONS"

2. Page 1, lines 19 and 23.
Strike: "OR ORGANIZATIONS"

3. Page 2, lines 3 and 23.
Strike: "OR A UNION"

4. Page 2, lines 23, 24 and 25.
Strike: "OR ORGANIZATION"

5. Page 3, lines 1 and 2.
Strike: "OR THE ORGANIZATION'S"

6. Page 3, lines 2 and 3.
Strike: "OR THE ORGANIZATION"

7. Page 4, line 3.
Strike: "OR A UNION"

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Towe, Chair	Squires, Chair
Pipinich	Whalen
Nathe	Hayne

MESSAGES FROM THE SENATE

Senate bill passed and transmitted to the House for concurrence: 4/6/91

SB 300, introduced by Pinsoneault

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Stang in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 131 - Representative Brooke moved Governor's amendments to HB 131 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellison, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 73

Noes: Barnett, Benedict, Bergsagel, Clark, Connelly, R. DeBruycker, Ellis, Fagg, Feland, Gilbert, Grinde, H. S. Hanson, Hayne, Keller, Knox, T. Nelson, Peterson, Phillips, Spring, Swysgood, Thoft, Wallin, Zook.
Total 23

Voted Absentee: Gervais, Aye.

Excused: None.
Total 0

Absent or not voting: Driscoll, Simpkins, Steppler, Strizich.
Total 4

HB 233 - Representative Bardanouve moved Senate amendments to HB 233 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: Gervais, Aye.

Excused: None.
Total 0

Absent or not voting: S. J. Hansen, Steppler, Strizich.
Total 3

HB 500 - Representative Whalen moved Senate amendments to HB 500 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Daily, R. DeBruycker, Menahan, Quilici.
Total 4

Excused: Gervais.
Total 1

Absent or not voting: Boharski, McCaffree, Strizich.
Total 3

HB 833 - Representative Lee moved consideration of Senate amendments to HB 833 be placed below HB 924 on the second reading board. Motion carried.

HB 836 - Representative Driscoll moved Senate amendments to HB 836 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Clark, R. DeBruycker, H. S. Hanson, Spring.
Total 4

Excused: Gervais.
Total 1

Absent or not voting: Boharski, Connelly, Kadas, Simpkins, Strizich.
Total 5

HB 837 - Representative Driscoll moved Senate amendments to HB 837 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Benedict.
Total 1

Excused: Gervais.
Total 1

Absent or not voting: Connelly, Ellison, Menahan, Peterson, Strizich, Whalen.
Total 6

HB 846 - Representative Menahan moved Senate amendments to HB 846 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Forrester, Foster, Galvin, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: Benedict, Clark, Cobb, Connelly, R. DeBruycker, Fagg, Feland, Grinde, H. S. Hanson, R. Johnson, McCaffree, Messmore, T. Nelson, Spring, Swysgood, Thoft, Thomas.
Total 17

Excused: Gervais, Strizich.
Total 2

Absent or not voting: None.
Total 0

HB 847 - Representative Lee moved Senate amendments to HB 847 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Barnhart, Measure.
Total 2

Excused: Gervais, Strizich.
Total 2

Absent or not voting: None.
Total 0

HB 853 - Representative Scott moved Senate amendments to HB 853 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Gervais.
Total 1

Absent or not voting: Stang.
Total 1

HB 857 - Representative O'Keefe moved Senate amendments to HB 857 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Forrester, Galvin, Gilbert, Gould, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 69

Noes: Barnett, Benedict, Boharski, Clark, Cobb, Connelly, R. DeBruycker, Fagg, Feland, Foster, Grady, Grinde, H. S. Hanson, Hoffman, R. Johnson,

Kasten, Keller, Knox, Lee, Measure, Mercer, Messmore, Peterson, Phillips, Spring, Swysgood, Thoft, Thomas, Zook.
Total 29

Excused: Gervais.
Total 1

Absent or not voting: Quilici.
Total 1

HB 860 - Representative Dowell moved Senate amendments to HB 860 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Darko, Davis, Dolezal, Dowell, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grinde, S. J. Hansen, Harrington, Hayne, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, O'Keefe, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Spring, Squires, Steppler, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 70

Noes: Becker, Benedict, D. Brown, Cody, Daily, J. DeBruycker, R. DeBruycker, Driscoll, Ellis, Grady, H. S. Hanson, M. Hanson, Hoffman, Kasten, Knox, McCaffree, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Scott, Simpkins, Stang, Stickney, Swysgood, Thoft, Zook.
Total 28

Excused: Gervais, Kadas.
Total 2

Absent or not voting: None.
Total 0

HB 870 - Representative R. Johnson moved Senate amendments to HB 870 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Boharski, Clark.
Total 2

Excused: Gervais, Kadas.
Total 2

Absent or not voting: Cobb, Fagg, McCulloch, Thomas.
Total 4

HB 882 - Representative Russell moved Senate amendments to HB 882 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, Kasten, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 77

Noes: Barnett, Barnhart, Clark, Connelly, R. DeBruycker, Feland, Gilbert, Grinde, M. Hanson, R. Johnson, Keller, Peck, Peterson, Phillips, Swysgood, Thoft.
Total 16

Voted Absentee: Gervais, Aye.

Excused: Kadas.
Total 1

Absent or not voting: Boharski, Hayne, Lee, Mercer, Southworth, Strizich.
Total 6

HB 888 - Representative L. Nelson moved Senate amendments to HB 888 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 90

Noes: R. DeBruycker, Zook.
Total 2

Excused: Gervais, Kadas.
Total 2

Absent or not voting: Boharski, Gould, Hoffman, Lee, McCarthy, Menahan.
Total 6

HB 891 - Representative Stickney moved Senate amendments to HB 891 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Gervais, Kadas.
Total 2

Absent or not voting: Elliott, McCarthy, Menahan.
Total 3

HB 908 - Representative Harper moved Senate amendments to HB 908 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Gervais, Kadas.
Total 2

Absent or not voting: Cobb.
Total 1

HB 909 - Representative D. Brown moved Senate amendments to HB 909 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Gervais, Kadas.
Total 2

Absent or not voting: Grinde.
Total 1

HB 913 - Representative J. Johnson moved Senate amendments to HB 913 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Boharski, H. S. Hanson.
Total 2

Excused: Gervais, Kadas.
Total 2

Absent or not voting: Ellison, Lee, Squires, Whalen.
Total 4

HB 917 - Representative Toole moved Senate amendments to HB 917 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Boharski, Peterson.
Total 2

Excused: Gervais, Kadas.
Total 2

Absent or not voting: Whalen.
Total 1

HB 924 - Representative Measure moved Senate amendments to HB 924 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: R. DeBruycker, Feland, Kasten, McCaffree, T. Nelson, Spring.
Total 6

Excused: Gervais, Kadas.
Total 2

Absent or not voting: Barnett, Grady, Hoffman.
Total 3

HB 833 - Representative Lee moved Senate amendments to HB 833 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Peck.
Total 1

Excused: Gervais, Kadas.
Total 2

Absent or not voting: Harrington.
Total 1

HB 930 - Representative Whalen moved Senate amendments to HB 930 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: R. DeBruycker.
Total 1

Excused: Gervais, Kadas.
Total 2

Absent or not voting: Dolezal, Feland, McCaffree, Spring.
Total 4

HB 942 - Representative Beck moved Senate amendments to HB 942 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Spring.
Total 1

Excused: Gervais, Kadas.
Total 2

Absent or not voting: None.
Total 0

HB 943 - Representative Davis moved Senate amendments to HB 943 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Gervais, Kadas.
Total 2

Absent or not voting: Dolezal, Keller.
Total 2

HB 948 - Representative R. Johnson moved Senate amendments to HB 948 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Boharski.
Total 1

Excused: Gervais, Kadas.
Total 2

Absent or not voting: None.
Total 0

HB 966 - Representative Steppler moved Senate amendments to HB 966 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Cobb.
Total 1

Excused: Gervais, Kadas.
Total 2

Absent or not voting: None.
Total 0

HB 987 - Representative Cromley moved Senate amendments to HB 987 be concurred in. Motion failed as follows:

Ayes: Bardanouve, Barnhart, Bradley, Brooke, Cocchiarella, Cody, Cohen, Cromley, Darko, Davis, Dowell, Elliott, Fagg, Feland, Gould, Grady, S. J. Hansen, Harrington, J. Johnson, Keller, Larson, Madison, McCaffree, McCarthy, Measure, Messmore, L. Nelson, T. Nelson, Nisbet, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Stickney, Strizich, Tunby, Wanzenried, Mr. Speaker.
Total 42

Noes: Bachini, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, D. Brown, J. Brown, Clark, Cobb, Connelly, Daily, J. DeBruycker, R. DeBruycker, Driscoll, Ellis, Ellison, Forrester, Foster, Galvin, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Kilpatrick, Kimberley, Knox, McCulloch, Menahan, Mercer, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Scott, Simpkins, Spring, Squires, Stang, Steppler, Swysgood, Thoft, Thomas, Toole, Wallin, Whalen, Wyatt, Zook.
Total 54

Excused: Gervais, Kadas.
Total 2

Absent or not voting: Dolezal, Lee.
Total 2

HB 988 - Representative Cromley moved Senate amendments to HB 988 be concurred in. Motion failed as follows:

Ayes: Bardanouve, Barnhart, Bradley, Brooke, Cody, Cohen, Cromley, Darko, Dolezal, Dowell, Elliott, Ellis, Fagg, Gould, Grady, S. J. Hansen, Harrington, Keller, Larson, Measure, Messmore, Nisbet, O'Keefe, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Stickney, Strizich, Tunby, Wanzenried, Wyatt, Mr. Speaker.
Total 37

Noes: Bachini, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, D. Brown, J. Brown, Clark, Cobb, Connelly, Daily, Davis, J. DeBruycker, R. DeBruycker, Driscoll, Feland, Forrester, Foster, Galvin, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, L. Nelson, T. Nelson, Pavlovich, Peterson,

Phillips, Quilici, Scott, Simpkins, Spring, Squires, Stang, Steppler, Swysgood, Thoft, Thomas, Toole, Wallin, Whalen, Zook.
Total 59

Excused: Gervais, Kadas.
Total 2

Absent or not voting: Cocchiarella, Ellison.
Total 2

HB 989 - Representative Cromley moved Senate amendments to HB 989 be concurred in. Motion failed as follows:

Ayes: Bardanouve, Barnhart, Bradley, Brooke, Clark, Cody, Cohen, Cromley, Darko, R. DeBruycker, Dolezal, Dowell, Ellis, Ellison, Fagg, Feland, Gould, Grady, S. J. Hansen, Harrington, R. Johnson, Keller, Larson, McCaffree, Measure, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Spring, Squires, Stickney, Strizich, Thomas, Tunby, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 48

Noes: Bachini, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, D. Brown, J. Brown, Cobb, Cocchiarella, Connelly, Daily, Davis, J. DeBruycker, Driscoll, Elliott, Forrester, Foster, Galvin, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, Kasten, Kilpatrick, Kimberley, Knox, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Pavlovich, Peterson, Phillips, Quilici, Scott, Simpkins, Stang, Steppler, Swysgood, Thoft, Toole, Wallin, Whalen.
Total 50

Excused: Gervais, Kadas.
Total 2

Absent or not voting: None.
Total 0

HJR 9 - Representative Russell moved Senate amendments to HJR 9 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 89

Noes: Barnett, R. DeBruycker, Peterson, Phillips, Spring, Swysgood, Thoft.
Total 7

Voted Absentee: Gervais, Aye.

Excused: None.
Total 0

Absent or not voting: Ellison, Gilbert, Lee, Zook.
Total 4

HJR 13 - Representative Connelly moved Senate amendments to HJR 13 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: R. DeBruycker, R. Johnson, Peterson.
Total 3

Excused: Gervais.
Total 1

Absent or not voting: Boharski, Ellison.
Total 2

HJR 32 - Representative Russell moved Senate amendments to HJR 32 be not concurred in. Motion carried as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 71

Noes: Bachini, Benedict, Bergsagel, Boharski, Clark, Davis, R. DeBruycker, Ellis, Ellison, Foster, Grady, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Peck, Peterson, Phillips, Simpkins, Spring, Thoft, Thomas, Wallin, Zook.
Total 27

Voted Absentee: Gervais, Aye.

Excused: None.
Total 0

Absent or not voting: Bardanouve, Kadas.
Total 2

HJR 35 - Representative McCarthy moved Senate amendments to HJR 35 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Benedict, R. DeBruycker, Peterson, Swysgood.
Total 4

Excused: Gervais, Kadas.
Total 2

Absent or not voting: Ellison, Lee, Wanzenried.
Total 3

HJR 36 - Representative Toole moved Senate amendments to HJR 36 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring,

Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Bergsagel, R. DeBruycker, Peterson.
Total 3

Excused: Gervais, Kadas.
Total 2

Absent or not voting: None.
Total 0

HJR 39 - Representative Daily moved Senate amendments to HJR 39 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: S. J. Hansen.
Total 1

Excused: Gervais, Kadas.
Total 2

Absent or not voting: None.
Total 0

HJR 40 - Representative S. Rice moved Senate amendments to HJR 40 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott,

Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Gervais, Kadas.
Total 2

Absent or not voting: Schye, Stang, Whalen.
Total 3

SB 49 - Representative Driscoll moved the free conference committee report #1 to SB 49 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Gervais, Kadas.
Total 2

Absent or not voting: Feland, Pavlovich, Schye.
Total 3

SB 171 - Representative Schye moved the free conference committee report #1 to SB 171 be adopted. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Galvin, Gilbert, Grady, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye,

Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 68

Noes: Bachini, Barnett, Beck, Benedict, Bergsagel, Boharski, Cobb, J. DeBruycker, R. DeBruycker, Ellison, Feland, Foster, Gould, Grinde, H. S. Hanson, Hayne, Kasten, Knox, Lee, Mercer, T. Nelson, Peck, Peterson, Phillips, Steppler, Swysgood, Thoft, Thomas, Whalen, Wyatt.
Total 30

Excused: Gervais, Kadas.
Total 2

Absent or not voting: None.
Total 0

SB 26 - Representative Wanzenried moved SB 26 be concurred in.

Representative Raney made a substitute motion consideration of SB 26 be placed below SB 232 on the second reading board. Motion carried.

SB 69 - Representative McCarthy moved SB 69 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gilbert, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 73

Noes: Barnett, Clark, Cobb, Connelly, R. DeBruycker, Feland, Gould, Grinde, Kasten, Keller, McCaffree, Stang, Swysgood, Thoft, Wallin.
Total 15

Excused: Gervais, Kadas.
Total 2

Absent or not voting: Boharski, J. Brown, Cocchiarella, Elliott, Hayne, R. Johnson, McCulloch, Phillips, Raney, Steppler.
Total 10

SB 93 - Representative M. Hanson moved SB 93 be concurred in. Motion carried as follows:

Ayes: Barnett, Beck, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cromley, Daily, Darko, R. DeBruycker, Dolezal, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould,

Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Zook, Mr. Speaker.
Total 65

Noes: Bachini, Bardanouve, Barnhart, Becker, Brooke, Cody, Cohen, Davis, J. DeBruycker, Dowell, Elliott, Galvin, S. J. Hansen, J. Johnson, Larson, McCaffree, Measure, L. Nelson, Nisbet, O'Keefe, Peck, S. Rice, Russell, Schye, Scott, Southworth, Wanzenried, Whalen, Wyatt.
Total 29

Excused: Gervais, Kadas.
Total 2

Absent or not voting: Cocchiarella, Connelly, Madison, Steppler.
Total 4

SB 111 - Representative McCaffree moved SB 111 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Cobb.
Total 1

Excused: Cohen, Gervais, Kadas.
Total 3

Absent or not voting: Cocchiarella, M. Hanson, Steppler.
Total 3

Representative McCulloch in the Chair at this time.

SB 128 - Representative Ream moved SB 128 be concurred in.

Representative Daily moved to call for cloture. Motion carried.

Thereupon, SB 128 was concurred in as follows:

Ayes: Barnhart, Beck, Becker, Benedict, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, R. DeBruycker, Dowell, Driscoll, Ellis, Fagg, Forrester, Foster, Galvin, Gould, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Larson, Lee, Madison, McCarthy, McCulloch, Messmore, L. Nelson, T. Nelson, Peck, Phillips, Ream, J. Rice, S. Rice, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt.
Total 55

Noes: Bachini, Bardanouve, Barnett, Bergsagel, Boharski, D. Brown, Cobb, Cody, Connelly, J. DeBruycker, Dolezal, Elliott, Ellison, Feland, Gilbert, Grinde, H. S. Hanson, Hayne, Kadas, Kasten, Kimberley, Knox, McCaffree, Menahan, Mercer, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Russell, Schye, Scott, Simpkins, Spring, Swysgood, Thoft, Whalen, Zook, Mr. Speaker.
Total 41

Excused: Gervais.
Total 1

Absent or not voting: Grady, Measure, Steppler.
Total 3

SB 177 - Representative Stang moved SB 177 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 91

Noes: Daily, R. DeBruycker, Gilbert, Pavlovich, Wyatt.
Total 5

Excused: Gervais.
Total 1

Absent or not voting: Grady, Ream, Steppler.
Total 3

Representative Stang resumed the Chair at this time.

SB 232 - Representative S. Rice moved SB 232, third reading copy, be amended (amendment #1). Amendment #1 failed as follows: (18-76)

Representative Scott moved SB 232, third reading copy, be amended as follows (amendment #2):

1. Page 12, line 8.
Following: "stolen."
Insert: "Documentation provided by the owner or employee of a wrecking facility licensed under the provisions of Title 75, chapter 10, part 5, is prima facie evidence of the facts stated in the documentation."

Amendment #2 passed as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Zook.
Total 86

Noes: Barnett, Feland, Kasten, Measure, T. Nelson, Simpkins, Wallin, Wyatt.
Total 8

Excused: Gervais.
Total 1

Absent or not voting: Bardanouve, Cohen, Connelly, Nisbet, Mr. Speaker.
Total 5

Representative Peterson moved SB 232, as amended, be concurred in.

Representative D. Brown made a substitute motion consideration of SB 232, as amended, be indefinitely postponed. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Benedict, Bergsagel, Boharski, Brooke, D. Brown, Cobb, Connelly, Darko, Davis, J. DeBruycker, R. DeBruycker, Driscoll, Ellis, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, Harrington, Hoffman, J. Johnson, Kasten, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, L. Nelson, Pavlovich, Peck, Quilici, Raney, Russell, Scott, Southworth, Squires, Steppler, Stickney, Swysgood, Thoft, Toole, Wanzenried, Whalen, Wyatt.
Total 55

Noes: Bardanouve, Barnett, Becker, Bradley, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Dolezal, Dowell, Elliott, Ellison, Fagg, S. J. Hansen, M. Hanson, Hayne, R. Johnson, Kadas, Keller, Knox, Measure, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Peterson, Phillips, Ream, J. Rice, S. Rice, Schye, Simpkins, Spring, Stang, Strizich, Thomas, Tunby, Wallin, Zook, Mr. Speaker.
Total 44

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Stang moved the adoption of the committee report. Report adopted. (87-10)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/10/91
Correctly enrolled: HB 62, HB 68, HB 133, HB 547, HB 596, HB 646, HB 667, HB 953.
Examined by the sponsor and found to be correct:
HB 68 - Whalen
HB 133 - Galvin
HB 301 - Wanzenried
HB 547 - M. Hanson
HB 594 - Gould
HB 596 - O'Keefe
HB 646 - Madison
HB 659 - T. Nelson
HB 667 - Darko
HB 875 - Whalen
HB 893 - Kasten
HB 899 - Cocchiarella

REPORTS OF SELECT COMMITTEES

Conference Committee
on Senate Bill No. 343
Report No. 1, April 10, 1991

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill No. 343, met and considered the House Committee of the Whole amendment dated March 16, 1991:

We recommend that Senate Bill No. 343 (reference copy - salmon) be amended as follows:

1. Page 1, line 16.

Strike: "SHALL"
Insert: "may"

2. Page 1, line 18.
Following: "EITHER"
Insert: "up to"

3. Page 1, lines 22 through 24.
Strike: "IF" on line 22 through "WAIVED." on line 24.

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Towe, Chair	Whalen, Chair
Doherty	H.S. Hanson
Rye	Cocchiarella

Free Conference Committee
on House Bill No. 151
Report No. 1, April 10, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered House Bill No. 151 (reference copy -- salmon) and recommend it be amended as follows:

1. Page 2, line 13.
Following: "STATE"
Insert: "on the same property"

2. Page 3, lines 6 through 11.
Strike: "MUST" on line 6 through "END OF" on line 11
Insert: "is the difference between the amount of tax paid under 15-24-303 and the tax owed based upon the number of months the property had taxable situs in the state for"

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
Stang, Chair	Eck, Chair
Thomas	Towe
Elliott	Harp

Free Conference Committee
on Senate Bill No. 251
Report No. 1, April 10, 1991

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 251, met and recommend that Senate Bill No. 251 (reference copy as amended - salmon) be amended as follows:

1. Title, line 13.
Following: "44-1-804,"
Insert: "AND"

2. Title, line 14.
Strike: "AND 44-1-902"
Following: "~~44-1-903~~"
Strike: ","

3. Page 3, lines 15 through 21.
Following: line 14
Strike: section 6 in its entirety
Renumber: subsequent section

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Pipinich, Chair	Cocchiarella, Chair
Gage	Southworth
Hockett	Clark

Free Conference Committee
on House Bill No. 391
Report No. 1, April 10, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee on House Bill No. 391 met and considered House Bill No. 391 (reference copy -- salmon) and recommend that the House accede to the Senate amendments.

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
Darko, Chair	Towe, Chair
Brooke	Grosfield
J. Rice	

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 10, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 741 and 926 on April 10, 1991.

Sincerely,

STAN STEPHENS
Governor

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 293 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Scott, Simpkins, Southworth, Spring, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 76

Noes: Bardanouve, Brooke, Cocchiarella, Cohen, Dowell, Driscoll, Gould, H. S. Hanson, Kadas, Kilpatrick, McCulloch, Measure, Nisbet, O'Keefe, Peck, S. Rice, Schye, Squires, Stang, Whalen, Wyatt.
Total 21

Excused: Gervais.
Total 1

Absent or not voting: Elliott, Strizich.
Total 2

HB 294 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, J. Brown, Clark, Cobb, Cody, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 80

Noes: Cocchiarella, Cohen, J. DeBruycker, Elliott, Gould, H. S. Hanson, Kilpatrick, McCulloch, Measure, Nisbet, Quilici, S. Rice, Squires, Stang, Whalen, Wyatt.
Total 16

Excused: Gervais.
Total 1

Absent or not voting: Brooke, D. Brown, Toole.
Total 3

HJR 42 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Bardanouve, Bergsagel, Boharski, Cobb, Gilbert, Gould, Grinde, M. Hanson, Hoffman, Knox, Phillips.
Total 11

Excused: Gervais.
Total 1

Absent or not voting: Kasten.
Total 1

HJR 49 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Connelly, Cromley, Darko, Davis, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Galvin, Gould, S. J. Hansen, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 64

Noes: Barnett, Beck, Benedict, Bergsagel, Boharski, Clark, Cohen, Daily, J. DeBruycker, R. DeBruycker, Dolezal, Ellison, Feland, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Knox, Lee,

McCaffree, McCarthy, Mercer, L. Nelson, Peterson, Simpkins, Spring, Stang, Steppler, Swysgood, Thoft, Zook.
Total 35

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 144, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 97

Noes: Peck, Wyatt.
Total 2

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 152, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Barnett, Bergsagel, Boharski.
Total 3

Excused: Gervais.
Total 1

Absent or not voting: Lee.
Total 1

HB 159, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: Benedict, Boharski, Clark, R. DeBruycker, Ellis, Feland, Gilbert, Grinde, H. S. Hanson, R. Johnson, McCaffree, T. Nelson, Simpkins, Swysgood, Thoft, Thomas.
Total 16

Excused: Gervais.
Total 1

Absent or not voting: J. DeBruycker.
Total 1

HB 187, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Galvin, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 78

Noes: Barnett, Cobb, R. DeBruycker, Ellis, Feland, Foster, Gilbert, Grinde, M. Hanson, Hayne, Kasten, Keller, Knox, Lee, T. Nelson, Peck, Peterson,

Phillips, Swysgood, Thoft, Thomas.
Total 21

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 192, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gilbert, Gould, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 81

Noes: Barnett, Benedict, Bergsagel, Brooke, Cobb, R. DeBruycker, Ellis, Ellison, Feland, Grady, Grinde, H. S. Hanson, Lee, Phillips, Spring, Thoft, Thomas, Zook.
Total 18

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 228, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: Boharski.
Total 1

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 251, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Gervais.
Total 1

Absent or not voting: Benedict, Harrington, McCaffree.
Total 3

HB 252, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Clark, R. Johnson, Keller, McCaffree.
Total 4

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 271, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Barnett, Clark, Cody, Cromley, R. DeBruycker, Ellison, Feland, Grinde, O'Keefe, Peterson, Phillips.
Total 11

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 360, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Gervais.
Total 1

Absent or not voting: Grady, Simpkins.
Total 2

HB 417, Senate amendments, concurred in as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 92

Noes: Bardanouve, Cromley, Forrester, Peck, Southworth, Whalen, Wyatt.
Total 7

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 465, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 497, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Benedict, R. DeBruycker, Phillips.
Total 3

Excused: Gervais.
Total 1

Absent or not voting: Hoffman.
Total 1

HB 513, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Cody, Measure.
Total 2

Excused: Gervais.
Total 1

Absent or not voting: H. S. Hanson, Hoffman.
Total 2

HB 534, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: McCaffree, Peck.
Total 2

Excused: Gervais.
Total 1

Absent or not voting: Scott.
Total 1

HB 538, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 87

Noes: Benedict, Cobb, Cromley, Feland, Forrester, H. S. Hanson, Knox, Peck, Phillips, Simpkins, Wyatt.
Total 11

Excused: Gervais.
Total 1

Absent or not voting: Larson.
Total 1

HB 549, Senate amendments, concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Bachini, Cobb, McCaffree, T. Nelson, Peck.
Total 5

Excused: Gervais.
Total 1

Absent or not voting: McCulloch, S. Rice.
Total 2

HB 556, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: O'Keefe.
Total 1

Excused: Gervais.
Total 1

Absent or not voting: Hoffman.
Total 1

3rd reading

HB 557, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Gervais.
Total 1

Absent or not voting: S. Rice.
Total 1

HB 572, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Cobb, Southworth.
Total 2

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 576, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 580, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 607, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Gervais.
Total 1

Absent or not voting: Benedict.
Total 1

HB 618, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 95

Noes: Measure, Simpkins, Southworth, Wyatt.
Total 4

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 620, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Bergsagel, Cromley, Driscoll, McCaffree.
Total 4

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 629, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Feland, Peck.
Total 2

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 631, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 88

Noes: Barnett, D. Brown, Cody, Driscoll, Grinde, Swysgood, Thoft, Thomas, Wallin, Wyatt.
Total 10

Excused: Gervais.
Total 1

Absent or not voting: Ellis.
Total 1

HB 643, Senate amendments, concurred in as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 58

Noes: Bardanouve, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cromley, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 41

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 651, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Cromley, Ellison.
Total 2

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 660, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Cody, Ellis.
Total 2

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 668, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Becker, D. Brown, Cromley, Driscoll, Measure, Scott, Southworth.
Total 7

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 678, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Bergsagel, Boharski.
Total 2

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 703, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Cobb, Ellison, Grinde.
Total 3

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 705, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Barnett, Bergsagel, Boharski, Peterson.
Total 4

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 706, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 711, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Benedict, Bergsagel, Elliott, Ellison, Kasten.
Total 5

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 715, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 723, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Brooke.
Total 1

Excused: Gervais.
Total 1

Absent or not voting: Grady.
Total 1

HB 739, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 757, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 761, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Becker, Boharski, Stickney.
Total 3

Excused: Gervais.
Total 1

Absent or not voting: Grady, Grinde, Harrington.
Total 3

HB 767, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Becker, Ellis, S. J. Hansen, Hoffman.
Total 4

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 773, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 776, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Brooke, Driscoll, O'Keefe, Raney.
Total 4

Excused: Gervais.
Total 1

Absent or not voting: None.
Total 0

HB 807, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Gervais.
Total 1

Absent or not voting: Kadas, Stang, Toole.
Total 3

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HJR 50, introduced by Phillips, Bardanouve, Davis, Pipinich, Boharski, J. Brown, J. DeBruycker, Galvin, G. Beck, Forrester, Southworth, J. Johnson, Squires, Kasten, Grinde, Ellison, Daily, R. DeBruycker, Knox, Simpkins, Foster, J. Rice, Messmore, Wallin, Keller, Kadas, Benedict, Cobb, Spring, Ellis, Hayne, R. Johnson, Clark, Vaughn, Hoffman, Swysgood, Grady, Barnhart, Blaylock, Thoft, Farrell, Bengtson, Eck, Hockett, Manning, Peck, Harper, Mercer, Thomas, Bradley, Driscoll, Darko, Cocchiarella, Kimberley, Schye, referred to Committee on State Administration

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:00 p.m., Thursday, April 11, 1991. Motion carried.

House adjourned at 4:25 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

SEVENTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
April 11, 1991

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Reverend Loren Foot. Pledge of Allegiance to the Flag.

Roll call. All members present except Cobb, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/11/91
Correctly engrossed: SB 69, SB 93, SB 111, SB 128, SB 177.
Correctly enrolled: HB 110, HB 150, HB 176, HB 239, HB 268, HB 292, HB 303, HB 309, HB 325.
Examined by the sponsor and found to be correct:
HB 62 - Stang
HB 353 - Strizich
HB 953 - S. Rice
HJR 37 - Gervais
Signed by the Speaker at 8:00 a.m., 4/11/91: HB 68, HB 133, HB 301, HB 404, HB 487, HB 539, HB 543, HB 547, HB 563, HB 570, HB 591, HB 594, HB 596, HB 613, HB 638, HB 646, HB 659, HB 667, HB 690, HB 785, HB 814, HB 849, HB 875, HB 877, HB 893, HB 899, HJR 38

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 4/10/91
SJR 27, third reading copy, be concurred in. Report adopted.

NATURAL RESOURCES (Raney, Chairman): 4/11/91
HJR 43, introduced bill, be amended as follows:

1. Title, line 6.
Strike: "SUSTAINED"
Insert: "SUSTAINABLE"

2. Title, line 7.
Strike: "YIELD"

3. Page 1, line 14.
Following: "industry"
Insert: "at times"

4. Page 1, line 20.
Strike: "foreboding"
Insert: "projected"

5. Page 1, lines 20 through 22.
Strike: "and" on line 20 through "Valleys" on line 22

6. Page 1, line 22.
Strike: "may"

7. Page 1, line 23.
Strike: "decline"

Insert: "cannot be sustained"

8. Page 1, line 24.
Strike: "would"
Insert: "could"

9. Page 2, lines 5 and 9.
Strike: "sustained yield"
Insert: "sustainable"

10. Page 2, lines 12 and 22.
Strike: "sustained yield"
Insert: "sustainable management"

11. Page 2, line 13.
Strike: the second "and"

12. Page 2, line 16.
Strike: "the growth and harvest of timber."
Insert: "forest productivity; and
(e) the maintenance and enhancement of the physical and biological productivity of the land."

And, as amended, do pass. Report adopted.

SB 407, third reading copy, be amended as follows:

1. Title, line 24.
Following: "HEARING;"
Insert: "PROVIDING THAT LOCAL SEWER DISTRICTS MAY SELL SEWER SERVICE TO MUNICIPALITIES OR TOWNS OR CONSUMERS LOCATED WITHIN OR OUTSIDE THE DISTRICT;"

2. Title, page 2, line 4.
Following: "~~ACT;~~"
Strike: "AND"
Insert: "ALLOCATING A PORTION OF THE REVENUES TO THE GROUND WATER ASSESSMENT ACCOUNT;"

3. Title, page 2, line 5.
Following: "SECTIONS"
Insert: "7-13-2218,"

4. Title, page 2, line 6.
Following: "~~DATE~~"
Insert: "; AND PROVIDING A TERMINATION DATE"

5. Page 4, line 24.
Following: line 23
Insert: "(2) "Community water system" means any public water supply system that serves at least 10 service connections used by year-round residents or regularly serves at least 25 year-round residents."

Renumber: subsequent subsections

6. Page 7, line 6.
Following: line 5
Insert: "(16) "Transient noncommunity water system" means any public water supply system that is not a community water system and that serves persons on a transient basis."

7. Page 10, line 22.
Following: "THAN"
Insert: "$2.25 for each service connection to the public water supply system for the biennium beginning July 1, 1991, and ending June 30, 1993, and thereafter is no more than"

8. Page 10, line 24.
Following: "100"
Insert: ", except that the fee for a transient noncommunity water system is $50"

9. Page 11, line 12.
Following: "[section 8]"
Insert: "[, except that $45,000 must be deposited each fiscal year in the ground water assessment account, established by [section 4 of Senate Bill No. 94], within the state special revenue fund]"

10. Page 15, line 6.
Following: "account"
Strike: ", all"

11. Page 15, line 7.
Following: "assessed"
Strike: "and"
Insert: ","
Following: "collected"
Insert: ", and allocated"

12. Page 18, line 24.
Following: line 23
Insert: "Section 11. Section 7-13-2218, MCA, is amended to read:

"7-13-2218. District powers related to water and sewer projects. Any district incorporated as provided in this part may:

(1) construct, purchase, lease, or otherwise acquire and operate and maintain water rights, waterworks, sanitary sewerworks, storm sewerworks, canals, conduits, reservoirs, lands, and rights useful or necessary to store, conserve, supply, produce, convey, or drain water or sewage for purposes beneficial to the district. Beneficial purposes include but are not limited to flood prevention, flood control, irrigation, drainage, municipal and industrial water supplies, domestic water supplies, wildlife, recreation, pollution abatement, livestock water supply, and other similar purposes.

(2) if the incorporators of the district are members of a private, nonprofit water association that was formed under the

laws of this state, acquire by eminent domain from that water association any type of property referred to in this section;

(3) store water for the benefit of the district; conserve water for future use; appropriate, acquire, and conserve water and water rights for the purposes of the district; commence, maintain, intervene in, and compromise, in the name of the district, and assume the costs of any action or proceeding involving or affecting the ownership or use of waters, water rights, or sewer rights within the district used or useful for any purpose of the district or a benefit to any land situated in the district;

(4) commence, maintain, intervene in, defend, and compromise actions and proceedings to prevent interference with or diminution of the natural flow of any stream or natural subterranean supply of waters used or useful for any purpose of the district or a common benefit to the lands within the district or its inhabitants;

(5) commence, maintain, and defend actions and proceedings to prevent any interference with the waters or rights referred to in this section as may endanger the inhabitants or lands of the district;

(6) lease from any person, firm, or public or private corporation, with the privilege of purchase or otherwise, existing water rights, waterworks, sewerworks, canals, or reservoir systems; and carry on and maintain them;

(7) sell water or the use of water for household or domestic or other similar purposes or sell sewer service and, whenever there is a surplus of water or sewerworks capacity, sell or otherwise dispose of the water or sewerworks capacity to municipalities or towns or to consumers located within or outside the boundaries of the district.""

Renumber: subsequent section

13. Page 19, line 9.
Following: line 8
Insert: "NEW SECTION. Section 13. Termination. The bracketed portion of [section 4(4)] terminates October 1, 1993."

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/10/91

HB 74, introduced by Strizich
HB 544, introduced by Gould
HB 665, introduced by Barnhart
HB 677, introduced by Benedict
HB 906, introduced by Connelly
HB 947, introduced by McCaffree

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 4/10/91

HB 832, introduced by Ellison

House amendments to Senate bills concurred in: 4/10/91

SB 19, introduced by Jergeson
SB 164, introduced by Harp
SB 172, introduced by Svrcek
SB 270, introduced by Williams
SB 400, introduced by Van Valkenburg

Governor's amendments concurred in: 4/10/91

SB 381, introduced by Jacobson

Free conference committee report #1 adopted: 4/10/91

SB 49, introduced by Waterman
SB 171, introduced by Svrcek

Representative Driscoll moved the House recess until 2:30 p.m. Motion carried.

House recessed at 1:10 p.m.

House reconvened at 2:30 p.m. Mr. Speaker in the Chair.

MESSAGES FROM THE SENATE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 4/11/91

HB 514, introduced by Menahan

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HJR 51, introduced by Simpkins, referred to Committee on Education and Cultural Resources
HJR 52, introduced by Simpkins, Hoffman, D. Brown, Messmore, referred to Committee on Judiciary

MOTIONS

Representative Driscoll moved the Speaker be authorized to appoint free conference committees to meet with like committees from the Senate to confer on HB 451, HB 494, HB 551, HB 719, HB 730, HB 763 and HB 825. Motion carried.

Representative Driscoll moved the Speaker be authorized to appoint conference committees to meet with like committees from the Senate to confer on Senate amendments to HB 559, HB 568, HB 650, HB 672, HB 698 and HB 747. Motion carried.

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the conference committee on Senate amendments to HB 559:

Representative Whalen, Chairman
Representative Measure
Representative Fagg

Mr. Speaker appointed the following members to the conference committee on Senate amendments to HB 568:

Representative Stang, Chairman
Representative McCulloch
Representative J. Rice

Mr. Speaker appointed the following members to the conference committee on Senate amendments to HB 650:

Representative Squires, Chairman
Representative Becker
Representative Foster

Mr. Speaker appointed the following members to the conference committee on Senate amendments to HB 672:

Representative Dowell, Chairman
Representative Scott
Representative Fagg

Mr. Speaker appointed the following members to the conference committee on Senate amendments to HB 698:

Representative O'Keefe, Chairman
Representative Scott
Representative J. Rice

Mr. Speaker appointed the following members to the conference committee on Senate amendments to HB 747:

Representative Strizich, Chairman
Representative Wyatt
Representative Lee

Mr. Speaker appointed the following members to the free conference committee on HB 451:

Representative Brooke, Chairman

Representative Toole
Representative Mercer

Mr. Speaker appointed the following members to the free conference committee on HB 494:

Representative Darko, Chairman
Representative Strizich
Representative Swysgood

Mr. Speaker appointed the following members to the free conference committee on HB 551:

Representative O'Keefe, Chairman
Representative Wanzenried
Representative Fagg

Mr. Speaker appointed the following members to the free conference committee on HB 719:

Representative D. Brown, Chairman
Representative Larson
Representative J. Rice

Mr. Speaker appointed the following members to the free conference committee on HB 730:

Representative D. Brown, Chairman
Representative Gervais
Representative Swysgood

Mr. Speaker appointed the following members to the free conference committee on HB 763:

Representative Stang, Chairman
Representative McCulloch
Representative Bergsagel

Mr. Speaker appointed the following members to the free conference committee on HB 825:

Representative D. Brown, Chairman
Representative Strizich
Representative Clark

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 1005 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Becker, Benedict, Bergsagel, Boharski, Bradley, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gould, Grady, H. S. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Peck, Peterson, Quilici, Raney, Ream, J. Rice, Schye, Scott, Simpkins, Southworth, Spring, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 73

Noes: Barnhart, Beck, Brooke, D. Brown, Cohen, Daily, Ellison, Feland, Gervais, Gilbert, Grinde, S. J. Hansen, M. Hanson, Harrington, Measure, L. Nelson, T. Nelson, Pavlovich, Phillips, Russell, Squires, Swysgood, Thoft, Whalen, Wyatt.
Total 25

Excused: Cobb.
Total 1

Absent or not voting: S. Rice.
Total 1

HJR 46 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Boharski.
Total 1

Excused: Cobb.
Total 1

Absent or not voting: Bradley, Kasten, Lee, McCulloch, S. Rice, Southworth.
Total 6

HJR 47 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Cobb.
Total 1

Absent or not voting: Lee.
Total 1

HB 233, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Cobb.
Total 1

Absent or not voting: Kasten.
Total 1

HB 837, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HB 846, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, J. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 75

Noes: Barnett, Benedict, Clark, R. DeBruycker, Ellison, Fagg, Feland, Grinde, H. S. Hanson, Hayne, Hoffman, R. Johnson, Keller, Mercer, Messmore, T. Nelson, Peterson, Phillips, Spring, Swysgood, Thoft, Thomas, Zook.
Total 23

Excused: Cobb.
Total 1

Absent or not voting: McCaffree.
Total 1

HB 847, Senate amendments, concurred in as follows:

Ayes: Bachini, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Bardanouve, Barnett, Barnhart, Cocchiarella, Measure, T. Nelson, Ream.
Total 7

Excused: Cobb.
Total 1

Absent or not voting: Southworth.
Total 1

HB 853, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HB 857, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gould, S. J. Hansen, M. Hanson, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 65

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, R. DeBruycker, Ellison, Fagg, Feland, Foster, Gilbert, Grady, Grinde, H. S. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Peterson, Phillips, Spring, Swysgood, Thoft, Thomas, Zook.
Total 31

Excused: Cobb.
Total 1

Absent or not voting: Brooke, Ellis, Larson.
Total 3

HB 860, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Darko, Davis, Dolezal, Dowell, Elliott, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Steppler, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Mr. Speaker.
Total 65

Noes: Becker, Benedict, D. Brown, Clark, Cody, Daily, J. DeBruycker, R. DeBruycker, Driscoll, Ellis, Ellison, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Knox, McCaffree, McCulloch, Nisbet, Pavlovich, Peterson, Phillips, Stang, Stickney, Strizich, Swysgood, Thoft, Wyatt, Zook.
Total 32

Excused: Cobb.
Total 1

Absent or not voting: Madison, Southworth.
Total 2

HB 870, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HB 882, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Forrester, Galvin, Gervais, Gould, Grady, Harrington, J. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 70

Noes: Barnett, Benedict, Boharski, Clark, R. DeBruycker, Ellison, Fagg, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Keller, Mercer, T. Nelson, Peck, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Thomas.
Total 27

Excused: Cobb.
Total 1

Absent or not voting: Elliott, S. J. Hansen.
Total 2

HB 888, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: R. DeBruycker.
Total 1

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HB 891, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Ellis.
Total 1

Excused: Cobb.
Total 1

Absent or not voting: D. Brown, L. Nelson.
Total 2

HB 908, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Peck.
Total 1

Excused: Cobb.
Total 1

Absent or not voting: Schye.
Total 1

HB 909, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Peck, Peterson.
Total 2

Excused: Cobb.
Total 1

Absent or not voting: Wanzenried.
Total 1

HB 917, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Boharski, Peck, Peterson, Spring.
Total 4

Excused: Cobb.
Total 1

Absent or not voting: Southworth.
Total 1

HB 924, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 89

Noes: Boharski, R. DeBruycker, Ellis, Hayne, Kasten, McCaffree, Peck, Phillips, Spring, Zook.
Total 10

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HB 930, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: R. DeBruycker.
Total 1

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HB 942, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Brooke.
Total 1

Excused: Cobb.
Total 1

Absent or not voting: Wanzenried.
Total 1

HB 943, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Cobb.
Total 1

Absent or not voting: Quilici.
Total 1

HB 948, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Boharski.
Total 1

Excused: Cobb.
Total 1

Absent or not voting: Driscoll.
Total 1

HB 966, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Cobb.
Total 1

Absent or not voting: Simpkins.
Total 1

HJR 9, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 76

Noes: Barnett, Benedict, Bergsagel, Clark, R. DeBruycker, Ellison, Feland, Gilbert, Grady, Grinde, H. S. Hanson, Hoffman, Keller, Larson, Mercer, T. Nelson, Peck, Peterson, Swysgood, Thoft, Thomas, Zook.
Total 22

Excused: Cobb.
Total 1

Absent or not voting: Spring.
Total 1

HJR 13, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: R. DeBruycker.
Total 1

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HJR 35, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Barnett, Benedict, R. DeBruycker, Ellison, Feland, Gilbert, Peck, Peterson, Spring, Swysgood, Thoft.
Total 11

Excused: Cobb.
Total 1

Absent or not voting: Phillips.
Total 1

HJR 36, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: R. DeBruycker.
Total 1

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HJR 39, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HJR 40, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Peck.
Total 1

Excused: Cobb.
Total 1

Absent or not voting: Feland.
Total 1

SB 49, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Cohen, Pavlovich.
Total 2

Excused: Cobb.
Total 1

Absent or not voting: S. J. Hansen, Stang.
Total 2

SB 171, free conference committee report #1, adopted as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Gervais, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 72

Noes: Bachini, Benedict, Bergsagel, Boharski, D. Brown, R. DeBruycker, Ellison, Feland, Foster, Grinde, H. S. Hanson, Hayne, Kasten, Knox, Lee, T. Nelson, Pavlovich, Peck, Peterson, Phillips, Steppler, Swysgood, Thoft, Thomas, Wyatt.
Total 25

Excused: Cobb.
Total 1

Absent or not voting: Barnett, Galvin.
Total 2

SB 69 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Barnett, Clark, Connelly, R. DeBruycker, Feland, Gould, Grinde, Hayne, McCaffree, Phillips, Swysgood, Thoft, Wallin.
Total 13

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

SB 93 concurred in as follows:

Ayes: Bardanouve, Barnett, Beck, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Connelly, Cromley, Daily, Darko, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook.
Total 76

Noes: Bachini, Barnhart, Becker, Brooke, Cody, Cohen, Davis, J. DeBruycker, Galvin, Gervais, S. J. Hansen, J. Johnson, McCaffree, Measure, Nisbet, O'Keefe, Russell, Southworth, Whalen, Wyatt, Mr. Speaker.
Total 21

Excused: Cobb.
Total 1

Absent or not voting: Madison, Strizich.
Total 2

SB 111 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Elliott.
Total 1

Excused: Cobb.
Total 1

Absent or not voting: Driscoll, Kimberley, Scott.
Total 3

SB 128 concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dowell, Ellis, Fagg, Forrester, Foster, Galvin, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Keller, Lee, Madison, McCarthy, McCulloch, Measure, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Ream, J. Rice, S. Rice, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt.
Total 58

Noes: Bachini, Bergsagel, D. Brown, Cody, J. DeBruycker, Dolezal, Elliott, Ellison, Feland, Gervais, Gilbert, H. S. Hanson, Hayne, Kadas, Kasten, Kilpatrick, Kimberley, Knox, McCaffree, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Russell, Schye, Scott, Simpkins, Steppler, Swysgood, Thoft, Whalen, Zook, Mr. Speaker.
Total 37

Excused: Cobb.
Total 1

Absent or not voting: Boharski, Driscoll, Grinde, Larson.
Total 4

SB 177 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 95

Noes: R. DeBruycker, Wyatt.
Total 2

Excused: Cobb.
Total 1

Absent or not voting: Driscoll, Gilbert.
Total 2

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Darko moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Clark in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 26 - Representative Wanzenried moved SB 26 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: R. DeBruycker.
Total 1

Excused: Cobb.
Total 1

Absent or not voting: Peterson.
Total 1

SB 238 - Representative Ellison moved SB 238 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Bachini, Connelly, J. DeBruycker, R. DeBruycker, Galvin, McCaffree, Measure.
Total 7

Excused: Cobb.
Total 1

Absent or not voting: Scott.
Total 1

SB 242 - Representative Bradley moved SB 242 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Whalen, Zook, Mr. Speaker.
Total 84

Noes: Bachini, J. DeBruycker, Feland, Galvin, Gilbert, McCaffree, Measure, T. Nelson, Peck, Phillips, Steppler, Thoft, Wanzenried.
Total 13

Excused: Cobb.
Total 1

Absent or not voting: Grinde, Wyatt.
Total 2

SB 262 - Representative Grinde moved SB 262, third reading copy, be amended as follows (amendment #1):

1. Title, line 8.
Strike: "AND"
Following: "MCA"
Insert: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 2, line 3.
Following: line 2
Insert: "NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 1991."

Amendment #1 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen,

Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 92

Noes: Bachini, Galvin, Measure.
Total 3

Excused: Cobb, Ellison.
Total 2

Absent or not voting: D. Brown, Driscoll, Wyatt.
Total 3

Representative Grinde moved SB 262, as amended, be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Galvin, Measure, Peck, Southworth.
Total 4

Excused: Cobb, Ellison.
Total 2

Absent or not voting: None.
Total 0

SB 263 - Representative Grinde moved SB 263, third reading copy, be amended as follows (amendment #1):

1. Title, line 7.
Following: "MADE;"

Strike: "AND"
Following: "MCA"
Insert: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 3, line 8.
Following: line 7
Insert: "NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 1991."

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Galvin, Measure, Stang.
Total 3

Excused: Cobb, Ellison.
Total 2

Absent or not voting: D. Brown, Driscoll.
Total 2

Representative Grinde moved SB 263, as amended, be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Peck.
Total 1

Excused: Cobb, Ellison.
Total 2

Absent or not voting: D. Brown, Driscoll, Forrester.
Total 3

SB 278 - Representative Southworth moved SB 278 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Cohen, McCaffree, Peck, Squires, Whalen.
Total 5

Excused: Cobb, Ellison.
Total 2

Absent or not voting: D. Brown, Driscoll, S. J. Hansen.
Total 3

SB 279 - Representative Harrington moved SB 279 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Cobb, Ellison.
Total 2

Absent or not voting: Darko, Grinde.
Total 2

SB 280 - Representative Fagg moved SB 280 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Feland, Measure, Swysgood.
Total 3

Excused: Cobb, Ellison.
Total 2

Absent or not voting: None.
Total 0

SB 288 - Representative McCarthy moved SB 288 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Boharski, Cody, R. DeBruycker, Feland, McCaffree, Measure, L. Nelson, Peck, Scott, Swysgood.
Total 10

Excused: Cobb, Ellison.
Total 2

Absent or not voting: Keller, Madison.
Total 2

SB 299 - Representative Fagg moved SB 299 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Cohen, J. DeBruycker, Feland, McCaffree.
Total 4

Excused: Cobb, Ellison.
Total 2

Absent or not voting: Kimberley, Phillips.
Total 2

SB 333 - Representative Stang moved SB 333 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Cody, Peck.
Total 2

Excused: Cobb, Ellison.
Total 2

Absent or not voting: None.
Total 0

SB 370 - Representative Cohen moved SB 370 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Bachini, Cody, Cohen, R. DeBruycker, Grinde, Kasten, Peck, Spring, Swysgood, Thoft.
Total 10

Excused: Cobb, Ellison.
Total 2

Absent or not voting: None.
Total 0

SB 462 - Representative O'Keefe moved SB 462, third reading copy, be amended as follows (amendment #1):

1. Page 1, line 15.
Strike: "-- itemized pass through prohibited"

2. Page 2, line 25 through page 3, line 1.
Strike: subsection (3) in its entirety
Renumber: subsequent subsection

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Dolezal, Driscoll, Fagg, Forrester, Foster, Galvin, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee,

McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Ream, J. Rice, S. Rice, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook.
Total 68

Noes: Barnett, Beck, Benedict, Clark, Cohen, Davis, J. DeBruycker, R. DeBruycker, Dowell, Elliott, Ellis, Feland, Gervais, Grady, M. Hanson, Hayne, Kasten, Madison, Measure, T. Nelson, Phillips, Quilici, Raney, Russell, Schye, Swysgood, Thoft, Wallin.
Total 28

Excused: Cobb, Ellison.
Total 2

Absent or not voting: J. Johnson, Mr. Speaker.
Total 2

Representative Harrington moved SB 462, as amended, be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 76

Noes: Bachini, Barnett, Bergsagel, Boharski, R. DeBruycker, Ellis, Feland, Gilbert, Grady, Grinde, Hayne, Kasten, Keller, Knox, Lee, Mercer, Peck, Simpkins, Spring, Zook.
Total 20

Excused: Cobb, Ellison.
Total 2

Absent or not voting: Cody, Nisbet.
Total 2

SJR 15 - Representative Thomas moved SJR 15 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson,

Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Gilbert, H. S. Hanson.
Total 2

Excused: Cobb, Ellison.
Total 2

Absent or not voting: None.
Total 0

SJR 26 - Representative Thomas moved SJR 26 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: R. DeBruycker, Gilbert, McCaffree, Swysgood, Thoft.
Total 5

Excused: Cobb, Ellison.
Total 2

Absent or not voting: Simpkins.
Total 1

HB 300 - Representative O'Keefe moved Senate amendments to HB 300 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas,

Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: R. DeBruycker.
Total 1

Excused: Cobb, Ellison.
Total 2

Absent or not voting: Feland, S. Rice, Simpkins.
Total 3

HB 441 - Representative Pavlovich moved Senate amendments to HB 441 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Connelly, J. DeBruycker, R. DeBruycker, McCaffree, Measure, Southworth.
Total 6

Excused: Cobb, Ellison.
Total 2

Absent or not voting: Bardanouve.
Total 1

HB 511 - Representative R. Johnson moved Senate amendments to HB 511 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J.

Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Zook, Mr. Speaker.
Total 93

Noes: Ream, Southworth, Wanzenried, Wyatt.
Total 4

Excused: Cobb, Ellison.
Total 2

Absent or not voting: Ellis.
Total 1

HB 518 - Representative Messmore moved Senate amendments to HB 518 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Elliott, McCaffree.
Total 2

Excused: Cobb, Ellison.
Total 2

Absent or not voting: McCulloch.
Total 1

HB 645 - Representative L. Nelson moved Senate amendments to HB 645 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J.

Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Cobb, Ellison.
Total 2

Absent or not voting: Feland.
Total 1

HB 856 - Representative Foster moved Senate amendments to HB 856 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Cobb, Ellison.
Total 2

Absent or not voting: None.
Total 0

HB 894 - Representative Kimberley moved Senate amendments to HB 894 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Forrester,

Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Elliott, T. Nelson, Peterson.
Total 3

Excused: Cobb, Ellison.
Total 2

Absent or not voting: Feland.
Total 1

HB 901 - Representative Bardanouve moved Senate amendments to HB 901 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Cobb, Ellison.
Total 2

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Clark moved the adoption of the committee report. Report adopted. (95-3)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/11/91
Delivered to the Governor for his approval at 3:31 p.m., 4/11/91: HB 68, HB 133, HB 301, HB 487, HB 539, HB 543, HB 547, HB 563, HB 570, HB 591, HB 594, HB 596, HB 613, HB 638, HB 646, HB 659, HB 667, HB 690, HB 785, HB 814, HB 849, HB 875, HB 877, HB 893, HB 899.
Delivered to the Secretary of State at 3:50 p.m., 4/11/91: HB 404, HJR 38.

JUDICIARY (Strizich, Chairman): 4/11/91
SB 427, third reading copy, be amended as follows:

1. Title, page 2, line 16.
Following: "THE"
Insert: "LIVE CARD GAMES AND"
Following: "KENO"
Strike: "TAX AND PERMIT FEE"
Insert: "LAWS"

2. Page 6, line 25.
Strike: "issued"
Insert: "used"
Following: "PART"
Insert: "5 or"
Strike: "used"

3. Page 7, line 25.
Strike: "sports sweepstakes,"

4. Page 13, line 15.
Strike: "may"
Insert: "shall, upon request,"

5. Page 41, line 4.
Strike: "AT" through "BEFORE"
Insert: "Before"

6. Page 43, line 15.
Following: "home"
Strike: "or" through "center"

7. Page 44, lines 8 and 9.
Strike: ":" on line 8 and "(a)" on line 9
Insert: ","

8. Page 44, lines 14 through 23.
Strike: ":" on line 14 through "services" on line 23

9. Page 51, line 23.
Strike: "PLAYING FOR"
Insert: "purchasing"

10. Page 52, line 10.
Strike: "MAY"
Insert: "must"

11. Page 53, line 3.
Following: "~~Each~~"
Strike: "A"
Insert: "Each"
Following: "OR"
Strike: "A"

12. Page 70, line 8.
Strike: the first "SECTION"
Insert: "Sections 4,"
Following: "26"
Insert: ","

And, as amended, be concurred in. Report adopted.

TAXATION (Harrington, Chairman): 4/8/91
SB 384, third reading copy, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Conference Committee
on Senate Bill No. 348
Report No. 1, April 11, 1991

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill No. 348, met and considered:

House Committee on Human Services and Aging Amendments to the third reading copy dated March 15, 1991.

We recommend that Senate Bill No. 348 (reference copy - salmon) be amended as follows:

1. Page 5, line 24.
Following: "EVIDENCE"
Insert: "authorized to be"

2. Page 5, lines 24 and 25.
Strike: "BY A PHYSICIAN"

And that this Conference Committee report be adopted.

For the Senate:

Eck, Chair
Towe
Rye

For the House:

Squires, Chair
R. Johnson
Stickney

MOTIONS

Representative Stickney moved SB 114 be taken from the table in the Committee on Natural Resources, printed, and placed on second reading this legislative day. Motion failed.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:00 p.m., Friday, April 12, 1991. Motion carried.

House adjourned at 4:30 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

SEVENTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
April 12, 1991

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Reverend Lowell Anderson. Pledge of Allegiance to the Flag.

Roll call. All members present except Lee, Thoft, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the sixty-seventh, sixty-eighth, sixty-ninth and seventieth legislative days, find the same to be correct.

Menahan, Chairman

SPECIAL ORDERS OF THE DAY

Speaker Harper appointed a committee consisting of Representatives M. Hanson, Stickney, Benedict and Dowell to escort Congressman Pat Williams into the House chamber.

Congressman Williams presented the following address:

REMARKS OF U.S. REPRESENTATIVE PAT WILLIAMS
BEFORE THE HOUSE AND SENATE OF THE MONTANA LEGISLATURE
APRIL 12, 1991

Today, at the start of the 1990s, Montana is a state of transition and change -- profound, perhaps historic, change.

From the sweep of Montana's great plains to the mountain valleys here in the west, all of us are witness to a far-reaching revolution -- a revolution in how we live and where we live, the livelihoods we pursue, the prospects for our future.

For a century, we Montanans lived and grew and prospered with change. We searched for and seized the opportunity that change offered and, today, change challenges us again.

A century ago, we Montanans numbered some one hundred and thirty thousand. Our roots were remarkably far-flung -- Irish and English, German and Swede and Scot, from China and Canada, Austria and Italy and Russia. We were part and partner of the first migration westward -- to what for us, under this broad sky, was the promised land.

A century ago, more than half of Montana's population was born of foreign parents, and a third of our citizens had themselves been born abroad. Men outnumbered women by two to one, and of every ten Montanans, seven lived outside a city.

Back then, 100 years ago, we worshiped in 164 churches, were taught by 593 teachers, lived in 9,205 houses, reared 142,000 horses, and tended 24,000 milk cows, 667,000 head of cattle and almost 2 million sheep.

Times, my friends, have changed. Today, there are more Montana women than men by a fraction. We have moved to town -- more than half of us live and work in cities. Now, 100 years later, 13,639 teachers provide the backbone for our education system. We have shouldered our share and more of this nation's defense burden -- one out of every eight Montanans has served in the armed forces. The original Montanans -- the Native Americans -- now number 47,000, quadruple their number from a century ago. In fact, the 28 percent growth rate of Montana's Native American population during the 1980s far outpaced the state growth as a whole. And, yes, we still tend animals -- 68,911 horses, 3 million head of cattle and 562,000 sheep.

We proudly claim one of the nation's best literacy rates and one of the highest rates of high school graduation. We are subject to less heart disease and less cancer, and despite our appreciation of a good argument now and then, less homicides than elsewhere across America!

So we have not stood still -- not by a long shot. Today, in our second century -- you and I and our children -- are part now of a new and powerful migration, a second migration -- one as important and far-reaching as that of our first century.

Part of that migration is in our workforce. You know, there is a common myth that it was men who settled the west, but I've always suspected that Montana women know the truth. Yes, the men came early and stirred up the dust, but it was our great-grandmothers who followed and settled both the dust and the land. And today, in unprecedented numbers, Montana's women still do more than their share of the work -- and not only in our homes. Since World War II, the number of women in Montana's workforce had doubled -- now half of Montana's women are working both inside and outside the home.

By the way, it is important to note that America's women are still not receiving full credit for their efforts. We know that women in the workplace still earn on average just sixty-five cents for each dollar earned by men for the very same jobs.

We are a people on the move but that migration is having alarming consequences. Since World War II, decade by decade, we have been leaving Montana's farms and ranches. Yes, our green mountain valleys are growing with people -- at a fairly rapid clip -- but those great stretches across Montana's farming heartland are tragically losing ground.

Here's what we know from the new 1990 Census. Montana's mountain west grew by twenty-four thousand people during the last decade. In fact, of the 17 Montana counties which gained population, 12 are in the west and many of those grew at a brisk, double-digit rate.

The story in the east, as you know, is different. Eastern Montana lost nearly twelve thousand people in the 1980s and, now, the populations of twenty-five eastern Montana counties have slipped to not a ten-year low but to a twenty-year low!

The numbers frankly are staggering. In 1950, thirty-four thousand Montanans identified themselves as farmers. Now far fewer than half that number are still working the land.

My friends, Montana is not alone in wrestling with the consequences of the change that is all about us. We are part of an extraordinary exodus that is quietly and inexorably rolling across the plains and this nation's heartland. Each year now a half million folks pack up and leave the small towns and countryside of rural America.

We understand all too clearly the reasons. A decade of drought, two back-to-back farm bills that have and will continue to hurt grain producers, punishingly high real interest rates, trains that no longer stop, the savaging, during the 1980s, of the most basic and important federal efforts for rural economic development -- all that and more have left too many Montana towns and counties reeling on the ropes.

We now also know the cost the new migration has inflicted on Montana's voice in Washington. For the first time since the beginning of this century, Montana's population is no longer large enough to entitle us to two Members of Congress. When the new Congress convenes following the 1992 election, the lone Montana representative will have the daunting task of representing what, taken together, is the geographically largest and most heavily populated congressional district in the United States.

The changes which are transforming the face of this state are especially evident here, in this chamber and in this institution. Two decades ago, only two women served in Montana's legislature. Today, 31 women hold seats here. Women chair important committees and serve in influential leadership positions. Three Native Americans now hold seats in this legislature. Just 10 years ago, one out of three of you was a farmer or rancher -- this session it is one out of four.

The pace of change is remarkably rapid as well. Out of the 150 legislators serving in this session, only 25 were here ten years ago. By the way, the same holds true for the U.S. Congress. Seventy-five percent of the Members of Congress have served less than twelve years.

Yes, the times they are a changin'.

Speaker Harper thanked the Congressman for his remarks and the committee escorted him from the House chamber.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/12/91
Correctly printed: HJR 43.
Correctly engrossed: SB 26, SB 238, SB 242, SB 262, SB 263, SB 278, SB 279, SB 280, SB 288, SB 299, SB 333, SB 370, SB 462, SJR 15, SJR 26.
Correctly enrolled: HB 59, HB 144, HB 209, HB 228, HB 251, HB 338, HB 359, HB 377, HB 405, HB 467, HB 470, HB 751.
Examined by the sponsor and found to be correct:

HB 110 - Gilbert
HB 150 - Whalen
HB 176 - T. Nelson
HB 239 - Raney
HB 268 - Measure
HB 292 - Benedict
HB 303 - Bradley
HB 325 - Simpkins

Signed by the Speaker at 10:00 a.m., 4/12/91: HB 62, HB 353, HB 953, HJR 37, SB 105, SB 117, SB 229, SB 236, SB 253, SB 256, SB 269, SB 311, SB 336, SB 377, SB 385, SB 386, SB 391.

Signed by the Speaker at 10:40 a.m., 4/12/91: HB 110, HB 150, HB 176, HB 239, HB 268, HB 292, HB 303, HB 325.

LEGISLATIVE ADMINISTRATION (Menahan, Chairman): 4/12/91
HJR 48, introduced bill, do pass. Report adopted.

MOTIONS

Representative Driscoll moved the Speaker be authorized to appoint free conference committees to meet with like committees from the Senate to confer on HB 500, HB 833 and HB 913. Motion carried.

Representative Driscoll moved the Speaker be authorized to appoint conference committees to meet with like committees from the Senate to confer on Senate amendments to HB 836, HB 987, HB 988, HB 989 and HJR 32. Motion carried.

Representative Peterson moved SB 232 be taken from indefinitely postponed status and be placed on second reading. Motion carried.

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the conference committee on Senate amendments to HB 836:

Representative Driscoll, Chairman
Representative Beck
Representative Thomas

Mr. Speaker appointed the following members to the conference committee on Senate amendments to HB 987:

Representative Cromley, Chairman
Representative Pavlovich
Representative Ellis

Mr. Speaker appointed the following members to the conference committee on Senate amendments to HB 988:

Representative Cromley, Chairman
Representative Pavlovich
Representative Ellis

Mr. Speaker appointed the following members to the conference committee on Senate amendments to HB 989:

Representative Cromley, Chairman
Representative Pavlovich
Representative Ellis

Mr. Speaker appointed the following members to the conference committee on Senate amendments to HJR 32:

Representative Russell, Chairman
Representative Gervais
Representative Lee

Mr. Speaker appointed the following members to the free conference committee on HB 500:

Representative Whalen, Chairman
Representative J. Brown
Representative Mercer

Mr. Speaker appointed the following members to the free conference committee on HB 833:

Representative Strizich, Chairman
Representative Measure
Representative Lee

Mr. Speaker appointed the following members to the free conference committee on HB 913:

Representative J. Johnson, Chairman
Representative Schye
Representative Spring

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 26 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood,

Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: R. DeBruycker, Gilbert.
Total 2

Excused: Lee, Thoft.
Total 2

Absent or not voting: Grinde.
Total 1

SB 238 concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Bachini, Boharski, J. DeBruycker, R. DeBruycker, Galvin, McCaffree.
Total 6

Excused: Lee, Thoft.
Total 2

Absent or not voting: None.
Total 0

SB 242 concurred in as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Bachini, Bardanouve, Cobb, J. DeBruycker, Ellison, Gilbert, McCaffree, Measure, Peck, Phillips, Steppler.
Total 11

Excused: Lee, Thoft.
Total 2

Absent or not voting: Southworth.
Total 1

SB 262 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Clark, Cobb, Peck.
Total 3

Excused: Lee, Thoft.
Total 2

Absent or not voting: Simpkins.
Total 1

SB 263 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Peck.
Total 1

Excused: Lee, Thoft.
Total 2

Absent or not voting: Grinde.
Total 1

SB 278 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: McCaffree, Peck, Squires.
Total 3

Excused: Lee, Thoft.
Total 2

Absent or not voting: None.
Total 0

SB 279 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Southworth, Whalen.
Total 2

Excused: Lee, Thoft.
Total 2

Absent or not voting: None.
Total 0

SB 280 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Feland, Swysgood.
Total 2

Excused: Lee, Thoft.
Total 2

Absent or not voting: Hoffman.
Total 1

SB 288 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 87

Noes: Boharski, Cody, J. DeBruycker, R. DeBruycker, Feland, McCaffree, L. Nelson, Peck, Stickney, Swysgood, Wyatt.
Total 11

Excused: Lee, Thoft.
Total 2

Absent or not voting: None.
Total 0

SB 299 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Boharski, J. DeBruycker, McCaffree.
Total 3

Excused: Lee, Thoft.
Total 2

Absent or not voting: None.
Total 0

SB 333 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Peck.
Total 1

Excused: Lee, Thoft.
Total 2

Absent or not voting: Darko, Feland, Simpkins.
Total 3

SB 370 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Cohen, R. DeBruycker, Kasten, Pavlovich, Spring, Swysgood.
Total 6

Excused: Lee, Thoft.
Total 2

Absent or not voting: Grady, Toole.
Total 2

SB 462 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Barnett, Boharski, R. DeBruycker, Ellis, Feland, Gilbert, Hayne, Keller, Knox, Lee, Peck, Peterson, Phillips, Simpkins, Spring.
Total 15

Voted Absentee: Lee, No.

Excused: Thoft.
Total 1

Absent or not voting: None.
Total 0

SJR 15 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Gilbert.
Total 1

Excused: Lee, Thoft.
Total 2

Absent or not voting: None.
Total 0

SJR 26 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Cobb, R. DeBruycker, Ellison, Gilbert, Harrington, McCaffree, Swysgood.
Total 7

Excused: Lee, Thoft.
Total 2

Absent or not voting: None.
Total 0

HB 300, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Bergsagel, Cobb, Wallin.
Total 3

Excused: Lee, Thoft.
Total 2

Absent or not voting: None.
Total 0

HB 441, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: R. DeBruycker, McCaffree.
Total 2

Excused: Lee, Thoft.
Total 2

Absent or not voting: None.
Total 0

HB 645, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Lee, Thoft.
Total 2

Absent or not voting: None.
Total 0

HB 856, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Cody, Grinde.
Total 2

Excused: Lee, Thoft.
Total 2

Absent or not voting: Phillips.
Total 1

HB 894, Senate amendments, concurred in as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Bardanouve, Cobb, Elliott, Gilbert, Kadas, McCaffree, Messmore, T. Nelson, Peterson.
Total 9

Excused: Lee, Thoft.
Total 2

Absent or not voting: None.
Total 0

HB 901, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Lee, Thoft.
Total 2

Absent or not voting: D. Brown.
Total 1

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative D. Brown in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 514 - Representative Driscoll moved Senate amendments to HB 514 be concurred in.

Representative Cody moved to call for cloture. Motion carried.

Thereupon, Senate amendments to HB 514 were concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Becker, Bradley, Brooke, D. Brown, J. Brown, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Galvin, Gervais, Grady, S. J. Hansen, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCulloch, Measure, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 55

Noes: Barnett, Beck, Benedict, Bergsagel, Boharski, Clark, Cobb, Cocchiarella, Daily, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grinde, H. S. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCarthy, Menahan, Mercer, Messmore, O'Keefe, Peterson, Phillips, J. Rice, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 44

Voted Absentee: Bradley, Aye; Lee, Thoft, Noes.

Excused: None.
Total 0

Absent or not voting: M. Hanson.
Total 1

HB 832 - Representative Ellison moved Senate amendments to HB 832 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg,

Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Lee, Thoft.
Total 2

Absent or not voting: Driscoll, Gould.
Total 2

HB 151 - Representative Stang moved the free conference committee report #1 to HB 151 be adopted. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Lee, Thoft.
Total 2

Absent or not voting: Bardanouve, Feland, L. Nelson.
Total 3

HB 391 - Representative Darko moved the free conference committee report #1 to HB 391 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Feland, Forrester, Foster, Galvin, Gervais,

Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Bergsagel, Boharski, R. DeBruycker, Fagg.
Total 4

Excused: Lee, Thoft.
Total 2

Absent or not voting: Driscoll.
Total 1

SB 251 - Representative Cocchiarella moved the free conference committee report #1 to SB 251 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 90

Noes: Beck, Bergsagel, Nisbet, Peck, Wyatt.
Total 5

Excused: Lee, Thoft.
Total 2

Absent or not voting: D. Brown, Driscoll, Ream.
Total 3

SB 267 - Representative Squires moved the conference committee report #1 to SB 267 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Feland, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson,

Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 69

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Ellis, Ellison, Fagg, Foster, Gilbert, Grinde, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Mercer, Peck, Phillips, Simpkins, Spring, Swysgood, Thomas, Wallin, Zook.
Total 28

Excused: Lee, Thoft.
Total 2

Absent or not voting: Ream.
Total 1

SB 343 - Representative Whalen moved the conference committee report #1 to SB 343 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Clark, Cobb, J. DeBruycker, McCaffree.
Total 4

Excused: Lee, Thoft.
Total 2

Absent or not voting: None.
Total 0

SB 381 - Representative R. Johnson moved Governor's amendments to SB 381 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady,

Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Lee, Aye.

Excused: Thoft.
Total 1

Absent or not voting: None.
Total 0

SB 384 - Representative Boharski moved consideration of SB 384 be placed at the bottom of the second reading board. Motion carried.

SB 407 - Representative O'Keefe moved SB 407 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellison, Forrester, Galvin, Gervais, Gilbert, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Spring, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 61

Noes: Barnett, Benedict, Bergsagel, Clark, Cobb, Cody, Daily, R. DeBruycker, Elliott, Ellis, Fagg, Feland, Foster, Gould, Grady, Grinde, Hayne, Hoffman, R. Johnson, Kasten, Keller, Mercer, Messmore, L. Nelson, T. Nelson, Pavlovich, Peck, Peterson, Phillips, Quilici, Scott, Simpkins, Steppler, Swysgood, Thomas, Tunby, Wallin.
Total 37

Excused: Lee, Thoft.
Total 2

Absent or not voting: None.
Total 0

SJR 27 - Representative Schye moved SJR 27 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Grinde, McCaffree.
Total 2

Excused: Lee, Thoft.
Total 2

Absent or not voting: None.
Total 0

SB 384 - Representative Harrington moved SB 384 be concurred in. Representative Boharski made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Boharski moved SB 384, third reading copy, be amended (amendment #1). Amendment #1 failed as follows: (46-52)

Thereupon, SB 384 was concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 56

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cromley, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, Raney, J. Rice, Simpkins, Spring, Steppler, Thoft, Thomas, Tunby, Wallin, Zook.
Total 43

Voted Absentee: Elliott, Thoft, Noes.

Excused: Lee.
Total 1

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman D. Brown moved the adoption of the committee report. Report adopted. (60-32)

REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (J. Brown, Chairman): 4/12/91
HJR 50, introduced bill, be amended as follows:

1. Page 2, line 25.
Following: "systems"
Insert: "and recommendations for benefit changes to keep each system current with the needs of its members"

And, as amended, do pass. Report adopted.

TAXATION (Harrington, Chairman): 4/8/91
SB 226, third reading copy, be amended as follows:

1. Title, line 14.
Following: "RESIDENTS;"
Insert: "TO DIRECT A STUDY OF THE TAXATION OF RETIREMENT BENEFITS; TO PROVIDE A STATUTORY APPROPRIATION FOR ADJUSTMENT PAYMENTS;"
Following: "~~15-30-101,~~"
Insert: "15-30-101,"

2. Title, line 15.
Following: "15-30-136,"
Insert: "17-7-502,"

3. Page 3.
Following: line 7
Insert: "Section 1. Section 15-30-101, MCA, is amended to read:

"15-30-101. Definitions. For the purpose of this chapter, unless otherwise required by the context, the following definitions apply:

(1) "Base year structure" means the following elements of the income tax structure:

(a) the tax brackets established in 15-30-103, but unadjusted by subsection (2) of 15-30-103, in effect on June 30 of the taxable year;

(b) the exemptions contained in 15-30-112, but unadjusted by subsections (7) and (8) of 15-30-112, in effect on June 30 of the taxable year;

(c) the maximum standard deduction provided in 15-30-122, but unadjusted by subsection (2) of 15-30-122, in effect on June 30 of the taxable year.

(2) "Consumer price index" means the consumer price index, United States city average, for all items, using the 1967 base of 100 as published by the bureau of labor statistics of the U.S. department of labor.

(3) "Department" means the department of revenue.

(4) "Dividend" means any distribution made by a corporation out of its earnings or profits to its shareholders or members, whether in cash or in other property or in stock of the corporation, other than stock dividends as herein defined. "Stock dividends" means new stock issued, for surplus or profits capitalized, to shareholders in proportion to their previous holdings.

(5) "Fiduciary" means a guardian, trustee, executor, administrator, receiver, conservator, or any person, whether individual or corporate, acting in any fiduciary capacity for any person, trust, or estate.

(6) "Foreign country" or "foreign government" means any jurisdiction other than the one embraced within the United States, its territories and possessions.

(7) "Gross income" means the taxpayer's gross income for federal income tax purposes as defined in section 61 of the Internal Revenue Code of 1954 or as that section may be labeled or amended, excluding unemployment compensation included in federal gross income under the provisions of section 85 of the Internal Revenue Code of 1954 as amended.

(8) "Inflation factor" means a number determined for each taxable year by dividing the consumer price index for June of the taxable year by the consumer price index for June, 1980.

(9) "Information agents" includes all individuals, corporations, associations, and partnerships, in whatever capacity acting, including lessees or mortgagors of real or personal property, fiduciaries, brokers, real estate brokers, employers, and all officers and employees of the state or of any municipal corporation or political subdivision of the state, having the control, receipt, custody, disposal, or payment of interest, rent, salaries, wages, premiums, annuities, compensations, remunerations, emoluments, or other fixed or determinable annual or periodical gains, profits, and income with respect to which any person or fiduciary is taxable under this chapter.

(10) "Knowingly" is as defined in 45-2-101.

(11) "Net income" means the adjusted gross income of a taxpayer less the deductions allowed by this chapter.

(12) "Paid", for the purposes of the deductions and credits under this chapter, means paid or accrued or paid or incurred, and the terms "paid or incurred" and "paid or accrued" shall be construed according to the method of accounting upon the basis of which the taxable income is computed under this chapter.

(13) "Pension and annuity income" means:

(a) systematic payments of a definitely determinable amount from a qualified pension plan, as that term is used in section 401 of the Internal Revenue Code, or systematic payments received as the result of contributions made to a qualified pension plan that are paid to the recipient or recipient's beneficiary upon the cessation of employment;

(b) payments received as the result of past service and cessation of employment in the uniformed services of the United States;

(c) lump-sum distributions from pension or profitsharing plans to the extent that the distributions are included in federal adjusted gross income;

(d) distributions from individual retirement, deferred compensation, and self-employed retirement plans recognized under sections 401 through 408 of the Internal Revenue Code to the extent that the distributions are not considered to be premature distributions for federal income tax purposes; or

(e) amounts after cessation of regular employment received from fully matured, privately purchased annuity contracts.

~~(13)~~(14) "Purposely" is as defined in 45-2-101.

~~(14)~~(15) "Received", for the purpose of computation of taxable income under this chapter, means received or accrued and the term "received or accrued" shall be construed according to the method of accounting upon the basis of which the taxable income is computed under this chapter.

~~(15)~~(16) "Resident" applies only to natural persons and includes, for the purpose of determining liability to the tax imposed by this chapter with reference to the income of any taxable year, any person domiciled in the state of Montana and any other person who maintains a permanent place of abode within the state even though temporarily absent from the state and has not established a residence elsewhere.

~~(16)~~(17) "Taxable income" means the adjusted gross income of a taxpayer less the deductions and exemptions provided for in this chapter.

~~(17)~~(18) "Taxable year" means the taxpayer's taxable year for federal income tax purposes.

~~(18)~~(19) "Taxpayer" includes any person or fiduciary, resident or nonresident, subject to a tax imposed by this chapter and does not include corporations.""

Renumber: subsequent sections

4. Page 4, lines 13 through 18.
Strike: "all" on line 13 through "system" on line 18
Insert: "the first $3,600 of all pension and annuity income received as defined in 15-30-101"

5. Page 8, lines 14 through 22.
Strike: subsection (8) in its entirety

6. Page 11, lines 6 through 11.
Strike: subsection (h) in its entirety

Renumber: subsequent subsection

7. Page 13, lines 3 through 11.
Strike: subsection (6) in its entirety

8. Page 13, line 13.
Following: "deposit"
Insert: "-- statutory appropriation"
Strike: "allocated"
Insert: "statutorily appropriated, as provided in 17-7-502, from the general fund"

9. Page 13, line 17.
Strike: "4"
Insert: "5"

10. Page 13, line 21.
Strike: "2%"
Insert: "2 1/2%"

11. Page 22.
Following: line 4
Insert: "Section 17. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-9-202; 2-17-105; 2-18-812; 10-3-203; 10-3-312; 10-3-314; 10-4-301; 13-37-304; 15-1-111; 15-25-123; 15-31-702; 15-36-112; 15-37-117; 15-65-121; 15-70-101; 16-1-404; 16-1-410; 16-1-411; 17-3-212; 17-5-404; 17-5-424; 17-5-804; 19-8-504; 19-9-702; 19-9-1007; 19-10-205; 19-10-305; 19-10-506; 19-11-512; 19-11-513; 19-11-606; 19-12-301; 19-13-604; 20-6-406; 20-8-111; 20-9-361; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-1016; 23-5-1027; 27-12-206; 37-51-501; 39-71-2504; 53-6-150; 53-24-206; 61-2-406; 61-5-121; 67-3-205; 75-1-1101; 75-5-1108; 75-11-313; 76-12-123; 80-2-103; 82-11-136; 82-11-161; 90-3-301; 90-4-215; 90-4-613; 90-6-331; 90-9-306; [section 3]; and section 13, House Bill No. 861, Laws of 1985.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies

that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for such payments. (In subsection (3), pursuant to sec. 10, Ch. 664, L. 1987, the inclusion of 39-71-2504 terminates June 30, 1991.)"

NEW SECTION. Section 18. Study of taxation of retirement benefits. The revenue oversight committee is requested to study the taxation of retirement benefits, including all relevant permutations of income sources and age criteria. The revenue oversight committee is also to keep abreast of legal developments involving the taxation of retirement benefits. The revenue oversight committee is to report its findings and recommendations to the 53rd legislature."

Renumber: subsequent sections

12. Page 22, line 12.
Strike: "3 and"
Following: "4"
Insert: "and 5"

13. Page 22, line 14.
Strike: "3 and"
Following: "4"
Insert: "and 5"

And, as amended, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Conference Committee
on Senate Bill No. 440
Report No. 1, April 11, 1991

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill No. 440, met and considered:

House Committee on Local Government Amendments dated March 19, 1991.

We recommend that the Senate accede to the House Amendments, and that this Conference Committee report be adopted.

For the Senate:

Bengtson, Chair
Harding

For the House:

Wyatt, Chair
D. Brown
J. Rice

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 8:00 a.m., Saturday, April 13, 1991. Motion carried.

House adjourned at 3:35 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

SEVENTY-NINTH LEGISLATIVE DAY

Helena, Montana
April 13, 1991

House Chambers
State Capitol

House convened at 8:10 a.m. Mr. Speaker in the Chair. Invocation by Representative J. Brown. Pledge of Allegiance to the Flag.

Roll call. All members present except Cohen, Dowell, Elliott, Lee, L. Nelson, Steppler, Thoft, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the sixty-sixth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/13/91
Correctly printed: HJR 48, HJR 50.
Correctly engrossed: SB 384, SB 407, SJR 27.
Examined by the sponsor and found to be correct:

HB 59 - Harrington
HB 144 - Foster
HB 209 - Wallin
HB 228 - Larson
HB 251 - Driscoll
HB 338 - Ream
HB 359 - Harper
HB 377 - Raney
HB 405 - Wallin
HB 470 - McCarthy
HB 751 - Boharski

TAXATION (Harrington, Chairman): 4/12/91
SB 94, third reading copy, be amended as follows:

1. Strike: all amendments adopted by the House Natural Resources Committee on March 12, 1991

2. Title, line 9.
Following: line 8
Insert: "INCREASING THE FILING FEE FOR NOTICE OF COMPLETION OF GROUND WATER DEVELOPMENT; INCREASING THE FILING FEE FOR PERMITS TO BENEFICIALLY USE GROUND WATER; DIRECTING THE BOARD OF WATER WELL CONTRACTORS TO AMEND RULE 36.21.415, ADMINISTRATIVE RULES OF MONTANA, TO INCREASE LICENSE FEES;"

3. Title, line 11.
Following: "PROGRAMS;"
Insert: "PROVIDING AN APPROPRIATION; AMENDING SECTIONS 37-43-303, 37-43-307, 85-2-302, AND 85-2-306;"
Following: "DATE"
Insert: "AND A TERMINATION DATE"

4. Page 4, lines 8 through 23.
Following: line 7
Strike: subsection (a) in its entirety
Insert: "(a) the portion of the application filing fee for a permit to beneficially use ground water, allocated pursuant to 85-2-302(2);

(b) the portion of the filing fee for processing notices of completion of ground water development, allocated pursuant to 85-2-306(5);

(c) the portion of the water well contractor, driller, and monitoring well constructor license fee, allocated pursuant to 37-43-303(2), and the portion of the license renewal fee, allocated pursuant to 37-43-307(1);

(d) the portion of public water supply system fees, allocated pursuant to [section 4 of Senate Bill No. 407];"
Renumber: subsequent subsections

5. Page 9, line 9.
Following: line 8
Insert: "Section 8. Section 37-43-303, MCA, is amended to read:

"37-43-303. Application -- fee. (1) Except as provided in 37-43-302(2), a person desiring to engage in the drilling, making, construction, alteration, or rehabilitation of one or more water or monitoring wells for underground water in this state shall first file an application with the department for a license. The application must set forth the applicant's qualifications, the equipment proposed to be used in the contracting, and other matters required by the board on forms adopted by the board.

(2) The department shall charge a fee prescribed by the board for filing an application. The application shall not be acted on until the fee has been paid. Fees collected under this section ~~shall~~ must be deposited in the state special revenue fund for the use of the board, except that $25 of the fee collected from each applicant for a water well contractor license and $15 of the fee collected from each applicant for a water well driller license or a monitoring well constructor license must be deposited in the ground water assessment account established in [section 4].

(3) An appropriate license shall be issued to an applicant if, in the opinion of the board, the applicant is qualified to conduct water well or monitoring well construction operations. In the granting of licenses, the board shall have due regard for the interest of this state in the protection of its underground waters."

Section 9. Section 37-43-307, MCA, is amended to read:

"37-43-307. Annual renewal -- fee -- revocation for nonrenewal. (1) The term for licenses issued under this chapter is from July 1 of each year through the following June 30. After the payment of the initial fee under 37-43-303, a licensee shall pay, before the first day of each license year, a renewal fee as prescribed by the board. Renewal fees collected under this section must be deposited in the state special revenue fund for the use of the board, except that $25 of the fee collected from each renewal of a water well contractor license or a monitoring well constructor license and $15 of the fee collection from each renewal of a water well driller

license must be deposited in the ground water assessment account established in [section 4].

(2) If a licensee does not apply for renewal of his license before the first day of a license year and remit to the department the renewal fee, he shall have his license suspended by the board. If the license remains suspended for a period of more than 30 days after the first day of a license year, it shall be revoked by the board. However, the department, prior to this revocation, shall notify the licensee of the board's intention to revoke at least 10 days prior to the time set for action to be taken by the board on the license, by mailing notice to the licensee at the address appearing for the licensee in the records and files of the department. A license once revoked may not be reinstated unless it appears that an injustice has occurred indicating to the board that the licensee was not guilty of negligence or laches. If a person whose license has been revoked through his own fault desires to engage in the business of water well drilling or monitoring well construction in this state or contracting therefor, he must apply under 37-43-303. Notice of suspension shall be given a licensee when the suspension occurs."

NEW SECTION. Section 10. Board to amend rule. The board of water well contractors shall amend Rule 36.21.415, Administrative Rules of Montana, as follows:

"36.21.415 FEE SCHEDULE

(1) Application and examination		
(a) Contractors	~~$250.00~~	$275.00
(b) Drillers	~~150.00~~	165.00
(c) Monitoring well constructor	~~150.00~~	165.00
(2) Re-examination		
(a) Water well contractor		125.00
(b) Water well driller		75.00
(c) Monitoring well constructor		75.00
(3) Renewal		
(a) Contractor	~~115.00~~	140.00
(b) Driller	~~75.00~~	90.00
(c) Monitoring well constructor	~~115.00~~	140.00
(4) Late renewal (in addition to renewal fee) will be charged for any license not renewed prior to July 10		55.00
(5) Duplicate certificate and/or license		40.00
(6) Change in contractor name and/or address		40.00
(7) Change in responsible contractor (new driller license fee)		40.00
(8) Copies of law and rules--per page (drillers and contractors are exempt from fee)"		.20

Section 11. Section 85-2-302, MCA, is amended to read:

"85-2-302. Application for permit -- fee. (1) Except as otherwise provided in (1) through (3) of 85-2-306, a person may not appropriate water or commence construction of diversion, impoundment, withdrawal, or distribution works therefor except by

applying for and receiving a permit from the department. The application shall be made on a form prescribed by the department. The department shall make the forms available through its offices and the offices of the county clerk and recorders. The department shall return a defective application for correction or completion, together with the reasons for returning it. An application does not lose priority of filing because of defects if the application is corrected, completed, and refiled with the department within 30 days after its return to the applicant or within a further time as the department may allow. If an application is not corrected and completed within 30 days or within a further time as the department allows, up to 3 months, the priority date of the application shall be the date of refiling the application with the corrections with the department. An application not corrected within 3 months shall be terminated.

(2) In addition to the application filing fee prescribed by the board by rule pursuant to 85-2-113, a person applying for a permit under subsection (1) shall pay a fee of $1 per acre-foot of ground water appropriated. The fees collected by the department under this subsection must be deposited in the ground water assessment account, established in [section 4], within the state special revenue fund."

Section 12. Section 85-2-306, MCA, is amended to read:

"85-2-306. Exceptions to permit requirements -- fee. (1) Ground water may be appropriated only by a person who has a possessory interest in the property where the water is to be put to beneficial use and exclusive property rights in the ground water development works or, if another person has rights in the ground water development works, the written consent of the person with those property rights. Outside the boundaries of a controlled ground water area, a permit is not required before appropriating ground water by means of a well or developed spring with a maximum appropriation of less than 100 gallons per minute, except that a combined appropriation from the same source from two or more wells or developed springs exceeding this limitation requires a permit. Within 60 days of completion of the well or developed spring and appropriation of the ground water for beneficial use, the appropriator shall file a notice of completion with the department on a form provided by the department at its offices and at the offices of the county clerk and recorders and pay a $20 filing fee. Upon receipt of the notice, the department shall review the notice and may, before issuing a certificate of water right, return a defective notice for correction or completion, together with the reasons for returning it. A notice does not lose priority of filing because of defects if the notice is corrected, completed, and refiled with the department within 30 days or within a further time as the department may allow, not to exceed 6 months. If a notice is not corrected and completed within the time allowed, the priority date of appropriation shall be the date of refiling a correct and complete notice with the department. A certificate of water right may not be issued until a correct and complete notice has been filed with the department. The original of

the certificate shall be sent to the appropriator. The department shall keep a copy of the certificate in its office in Helena. The date of filing of the notice of completion is the date of priority of the right.

(2) An appropriator of ground water by means of a well or developed spring first put to beneficial use between January 1, 1962, and July 1, 1973, who did not file a notice of completion, as required by laws in force prior to April 14, 1981, with the county clerk and recorder shall file a notice of completion, as provided in subsection (1) of this section, with the department to perfect the water right. The filing of a claim of existing water right pursuant to 85-2-221 is sufficient notice of completion under this subsection. The priority date of the appropriation shall be the date of the filing of a notice as provided in subsection (1) of this section or the date of the filing of the claim of existing water right. An appropriation under this subsection is an existing right, and a permit is not required; however, the department shall acknowledge the receipt of a correct and complete filing of a notice of completion, except that for an appropriation of less than 100 gallons per minute, the department shall issue a certificate of water right. If a certificate is issued under this section, a certificate need not be issued under the adjudication proceedings provided for in 85-2-236.

(3) A permit is not required before constructing an impoundment or pit and appropriating water for use by livestock if the maximum capacity of the impoundment or pit is less than 15 acre-feet and the appropriation is less than 30 acre-feet per year and is from a source other than a perennial flowing stream and the impoundment or pit is to be constructed on and will be accessible to a parcel of land that is owned or under the control of the applicant and that is 40 acres or larger. As used in this subsection, a perennial flowing stream means a stream which historically has flowed continuously at all seasons of the year, during dry as well as wet years. However, within 60 days after constructing the impoundment or pit, the appropriator shall apply for a permit as prescribed by this part. Upon receipt of a correct and complete application for a stockwater provisional permit, the department shall then automatically issue a provisional permit. If the department determines after a hearing that the rights of other appropriators have been or will be adversely affected, it may revoke the permit or require the permittee to modify the impoundment or pit and may then make the permit subject to such terms, conditions, restrictions, or limitations it considers necessary to protect the rights of other appropriators.

(4) A person may also appropriate water without applying for or prior to receiving a permit under rules adopted by the board under 85-2-113.

(5) The department shall deposit $10 of each filing fee collected pursuant to subsection (1) in the ground water assessment account, established in [section 4], within the state special revenue fund."

NEW SECTION. Section 13. Appropriation. There is appropriated to the Montana bureau of mines and geology for the

biennium ending June 30, 1993, all funds in the ground water assessment account, established in [section 4], in the state special revenue fund, for purposes of establishing a ground water monitoring program and a ground water characterization program."
Renumber: subsequent sections

6. Page 9, lines 18 and 19.
Following: line 17
Strike: lines 18 and 19 in their entirety
Insert: "Senate Bill No. 407 is passed and approved and does not contain a provision that allocates a portion of public water supply system fees to the ground water assessment account, then [section 4(4)(d) of this act] is void."

7. Page 9, line 22.
Following: line 21
Insert: "NEW SECTION. Section 17. Termination. [Subsections (4)(a) through (4)(d) of section 4] and [sections 8 through 12 of this act] terminate July 1, 1993."

And, as amended, be concurred in. Report adopted.

SB 115, third reading copy, be amended as follows:

1. Title, line 14.
Following: "MCA;"
Insert: "PROVIDING A STATUTORY APPROPRIATION;"
Strike: "SECTION"
Insert: "SECTIONS"
Following: "15-10-412"
Insert: "AND 17-7-502"

2. Page 3, line 13.
Following: "~~law~~"
Insert: "general"

3. Page 3, line 14.
Following: "PROPERTY"
Insert: "that are levied uniformly against all taxable property in its jurisdiction"

4. Page 8.
Following: line 20
Insert: "(4) The amount necessary to administer the tax is statutorily appropriated, as provided in 17-7-502, to the department."

5. Page 15.
Following: line 16
Insert: "Section 9. Section 17-7-502, MCA, is amended to read:
"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by

a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-9-202; 2-17-105; 2-18-812; 10-3-203; 10-3-312; 10-3-314; 10-4-301; 13-37-304; 15-1-111; 15-25-123; 15-31-702; 15-36-112; 15-37-117; 15-65-121; 15-70-101; 16-1-404; 16-1-410; 16-1-411; 17-3-212; 17-5-404; 17-5-424; 17-5-804; 19-8-504; 19-9-702; 19-9-1007; 19-10-205; 19-10-305; 19-10-506; 19-11-512; 19-11-513; 19-11-606; 19-12-301; 19-13-604; 20-6-406; 20-8-111; 20-9-361; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-1016; 23-5-1027; 27-12-206; 37-51-501; 39-71-2504; 53-6-150; 53-24-206; 61-2-406; 61-5-121; 67-3-205; 75-1-1101; 75-5-1108; 75-11-313; 76-12-123; 80-2-103; 82-11-136; 82-11-161; 90-3-301; 90-4-215; 90-4-613; 90-6-331; 90-9-306; [section 7]; and section 13, House Bill No. 861, Laws of 1985.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for such payments. (In subsection (3), pursuant to sec. 10, Ch. 664, L. 1987, the inclusion of 39-71-2504 terminates June 30, 1991.)""

Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

SB 151, third reading copy, be amended as follows:

1. Title, line 14.
Following: "FINANCE"
Insert: "THE COST OF COLLECTING THE TAX, TO FINANCE"

2. Title, line 18.
Following: "THRESHOLD"
Insert: ", AND TO FINANCE THE STATE GENERAL FUND COSTS OF IMPLEMENTING HOUSE BILL NO. 693"

3. Page 10
Following: line 4
Insert: "(c) If House Bill No. 693 is passed and approved, the department shall at the end of each fiscal year:

(i) calculate the state general fund operational costs and general fund revenue loss attributable to the implementation of House Bill No. 693; and

(ii) transfer from the account established in this section an amount equal to the general fund costs and revenue loss attributable to the implementation of House Bill No. 693 for that fiscal year."

4. Page 17, line 20.
Following: "INSTRUCTION."
Insert: "(1)"

5. Page 17
Following: line 25
Insert: "(2) If House Bill No. 693 is not passed and approved, then [section 6(3)(c) of this act] is void."

And, as amended, be concurred in. Report adopted.

SB 275, third reading copy, be concurred in. Report adopted.
SB 318, third reading copy, be amended as follows:

1. Strike House Highways and Transportation Committee Amendments dated March 21, 1991, in their entirety.

2. Title, lines 8 and 9.
Strike: "INCREASING THE CAMPER DECAL FEE;"

Title, line 12.
Following: "PROVIDING"
Insert: "AN"
Following: "APPLICABILITY"
Strike: "DATES"
Insert: "DATE"

3. Page 3, line 9.
Strike: "$3.50"
Insert: "$1"

4. Page 4, lines 9 through 12.
Strike: subsection (4) in its entirety

5. Page 5, line 3.
Strike: "or previously owned"

6. Page 6, line 5.
Strike: ":"

7. Page 6, line 6.
Strike: "(1)"
Following: "to a"
Insert: "newly manufactured"
Following: "sold"

Insert: "by a recreational vehicle dealer"

8. Page 6, lines 7 through 10.
Strike: "; and" on line 7 through "61-3-524" on line 10

And, as amended, be concurred in. Report adopted.

SB 390, third reading copy, be amended as follows:

1. Title, line 6.
Following: "DISASTER;"
Insert: "DEFINING A FIRE CAUSED BY OTHER THAN THE TAXPAYER'S ARSON TO BE A NATURAL DISASTER;"
Following: "TAXPAYER"
Insert: "UNDER PENALTY"

2. Title, line 7.
Following: "DESTROYED"
Insert: "PERSONAL"

3. Title, line 8.
Following: "PROVIDING THAT"
Insert: "PERSONAL"
Following: "DESTROYED"
Insert: "PERSONAL"

4. Page 2, line 19.
Strike: "PROPERTY"
Following: "TAXES"
Insert: "on personal property"

5. Page 2, line 21.
Following: "DESTROYED"
Insert: "personal"

6. Page 2, line 22.
Following: the first "THE"
Insert: "personal"
Following: the third "THE"
Insert: "personal"

7. Page 2, line 23.
Following: "DESTROYED"
Insert: "personal"

8. Page 2, line 25.
Following: "365."
Insert: "A taxpayer who fails to notify the department within 30 days from the date of the replacement of the personal property is subject to the penalty prescribed in 15-1-303."

9. Page 3, line 3.
Following: "wind."

Insert: "A fire is considered a natural disaster regardless of the origin of the fire. However, if the taxpayer is convicted of arson for burning the property, property taxes may not be adjusted. If they had already been adjusted prior to the conviction, the original amount must be collected."

And, as amended, be concurred in. Report adopted.

SB 412, third reading copy, be amended as follows:

1. Page 15, lines 24 and 25.
Strike: "the percentage rate "P""
Insert: "4%"

2. Page 16, lines 2 through 25.
Strike: subsections (4) through (6) in their entirety

3. Page 35, line 24 through page 36, line 2.
Strike: "(1) through (5)"
Strike: "and the" on page 35, line 24 through "340" on page 36, line 2

And, as amended, be concurred in. Report adopted.

SB 415, third reading copy, be amended as follows:

1. Title, line 7.
Following: "PROCEEDS"
Insert: "MAY"

2. Page 2, line 17.
Strike: "only"

And, as amended, be concurred in. Report adopted.

SB 416, third reading copy, be amended as follows:

1. Page 3, line 13.
Following: "~~70%~~"
Insert: ", as provided in subsection (3),"

2. Page 3, line 15.
Strike: "$400"
Insert: "$250 per year for 4 years"

3. Page 3, line 17.
Following: "YEAR"
Insert: "in which the credit is claimed"

4. Page 4, line 4.
Following: "(3)"
Insert: "The tax credit allowed under this section is deductible from the taxpayer's income tax liability for the taxable year in which the installation costs were incurred and for the next 3 taxable years

succeeding the taxable year in which the installation costs were incurred."

5. Page 4, lines 5 and 6.
Strike: ", AND" on line 5 through "INCURRED" on line 6

And, as amended, be concurred in. Report adopted.

SB 435, third reading copy, be amended as follows:

1. Title, line 6.
Strike: "FOR THE SUPPORT OF THE MONTANA UNIVERSITY SYSTEM"
Insert: "TO IMPLEMENT THE RECOMMENDATION OF THE EDUCATION COMMISSION FOR THE NINETIES AND BEYOND THAT THE MONTANA UNIVERSITY SYSTEM BE FUNDED AT A LEVEL NO LESS THAN THAT OF ITS REGIONAL PEER COLLEGES AND UNIVERSITIES"

2. Page 2, line 23.
Following: "system."
Insert: "The appropriation is in addition to any other money that would otherwise be appropriated to the Montana university system. The funds must be used to implement the recommendation of the education commission for the nineties and beyond regarding peer funding for university system units."

And, as amended, be concurred in. Report adopted.

SB 438, third reading copy, be concurred in. Report adopted.
SB 445, third reading copy, be amended as follows:

1. Page 5, line 12.
Following: "notice"
Insert: "referred to in subsection (4)(a)"

2. Page 6, line 16.
Following: "reasonable"
Insert: "not to exceed 90 days except by the mutual consent of both parties"

3. Page 6, line 25.
Following: "Procedure"
Insert: ", including additional time for mailing"

4. Page 7, lines 3 and 4.
Strike: ", NOT TO EXCEED 90 DAYS EXCEPT BY THE MUTUAL CONSENT OF BOTH PARTIES,"

And, as amended, be concurred in. Report adopted.

SB 454, third reading copy, be amended as follows:

1. Page 4, line 22.

Following: "expenses."
Insert: "[A county may not levy additional mills pursuant to this subsection if the county is receiving local option vehicle tax money under 61-3-537 for funding district court operations.]"

2. Page 21.
Following: line 18
Insert: "NEW SECTION. Section 4. Coordination instruction. If House Bill No. 312 is not passed and approved, then the bracketed language in [section 2(2) of this act] is void."
Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

SB 461, third reading copy, be amended as follows:

1. Title, line 11.
Following: "QUARTER;"
Insert: "TO PROVIDE AN APPROPRIATION;"

2. Page 1, line 19.
Strike: "additional amount"
Insert: "penalty"

3. Page 1, line 24.
Following: "15-30-202,"
Strike: "or"

4. Page 1, line 25.
Following: "section,"
Insert: "or through a combination of employer withholding and estimated tax,"

5. Page 5, line 15.
Following: "tax"
Insert: ", withholding tax, or a combination of both"

6. Page 6.
Following: line 19
Insert: "NEW SECTION. Section 3. Appropriation. There is appropriated from the general fund to the department of revenue $215,023 for fiscal year 1992 and $173,748 for fiscal year 1993 to implement the provisions of [this act]."
Renumber: subsequent section

7. Page 6, line 21.
Strike: "1993"
Insert: "1992"

And, as amended, be concurred in. Report adopted.

SB 468, third reading copy, be concurred in. Report adopted.

MOTIONS

Representative Raney moved to pass consideration of SB 384 on third reading to the 91st legislative day.

Representative Daily made a substitute motion SB 384 be taken from third reading and be placed on second reading the 80th legislative day. Motion failed.

Representative D. Brown made a substitute motion to pass consideration of SB 384 on third reading to the 80th legislative day. Motion failed.

Representative Raney withdrew his original motion and moved SB 384 be taken from third reading and be placed on second reading this legislative day. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 514, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Becker, Bradley, Brooke, D. Brown, J. Brown, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Feland, Galvin, Gervais, Grady, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCulloch, Measure, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 59

Noes: Barnett, Beck, Benedict, Bergsagel, Boharski, Clark, Cobb, Cocchiarella, R. DeBruycker, Ellis, Ellison, Fagg, Forrester, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCarthy, Menahan, Mercer, Messmore, O'Keefe, Peterson, Phillips, J. Rice, Simpkins, Spring, Swysgood, Thomas, Tunby, Zook.
Total 40

Voted Absentee: Cohen, Dowell, Elliott, L. Nelson, Steppler, Ayes; Lee, No.

Excused: Thoft.
Total 1

Absent or not voting: None.
Total 0

HB 832, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb,

Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Gould, Peck.
Total 2

Voted Absentee: Elliott, L. Nelson, Steppler, Ayes.

Excused: Cohen, Dowell, Lee, Thoft.
Total 4

Absent or not voting: None.
Total 0

HB 151, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Voted Absentee: Elliott, L. Nelson, Steppler, Ayes.

Excused: Cohen, Dowell, Lee, Thoft.
Total 4

Absent or not voting: None.
Total 0

HB 391, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Driscoll, Ellis, Ellison, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Bergsagel, Boharski, R. DeBruycker, Fagg, Feland, Kasten, T. Nelson, Peterson, Simpkins.
Total 9

Voted Absentee: L. Nelson, Steppler, Ayes.

Excused: Cohen, Dowell, Elliott, Lee, Thoft.
Total 5

Absent or not voting: Hoffman.
Total 1

SB 251, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 82

Noes: Beck, Bergsagel, Cody, Connelly, Daily, Measure, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Schye, Wyatt.
Total 13

Voted Absentee: L. Nelson, Steppler, Ayes.

Excused: Cohen, Dowell, Elliott, Lee, Thoft.
Total 5

Absent or not voting: None.
Total 0

SB 267, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Driscoll, Ellison, Forrester, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, Harrington, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 65

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, R. DeBruycker, Ellis, Fagg, Feland, Foster, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Mercer, T. Nelson, Peterson, Simpkins, Spring, Swysgood, Thomas, Wallin.
Total 29

Voted Absentee: Steppler, Aye.

Excused: Cohen, Dowell, Elliott, Lee, L. Nelson, Thoft.
Total 6

Absent or not voting: None.
Total 0

SB 343, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Bergsagel, Clark, Cobb, Gould, McCaffree.
Total 5

Voted Absentee: L. Nelson, Steppler, Ayes.

Excused: Cohen, Dowell, Elliott, Lee, Thoft.
Total 5

Absent or not voting: S. J. Hansen, Kasten, Phillips.
Total 3

SB 407 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Driscoll, Ellison, Forrester, Galvin, Gervais, Grady, S. J. Hansen, M. Hanson, Harrington, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 65

Noes: Barnett, Benedict, Bergsagel, Clark, Cobb, R. DeBruycker, Elliott, Ellis, Fagg, Feland, Foster, Gilbert, Gould, Grinde, H. S. Hanson, Hayne, Hoffman, R. Johnson, Kasten, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Peterson, Simpkins, Spring, Steppler, Swysgood, Tunby.
Total 31

Voted Absentee: Elliott, L. Nelson, Steppler, Noes.

Excused: Cohen, Dowell, Lee, Thoft.
Total 4

Absent or not voting: None.
Total 0

SJR 27 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 92

Noes: Gilbert, Grinde.
Total 2

Voted Absentee: L. Nelson, Steppler, Ayes.

Excused: Cohen, Dowell, Elliott, Lee, Thoft.
Total 5

Absent or not voting: Wyatt.
Total 1

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Ellis in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 43 - Representative Connelly moved consideration of HJR 43 be moved to the bottom of the second reading board. Motion carried.

SB 348 - Representative Squires moved the conference committee report #1 to SB 348 be adopted. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Boharski, Clark, R. DeBruycker, Measure.
Total 4

Voted Absentee: Cohen, Dowell, Elliott, Steppler, Ayes.

Excused: Lee, L. Nelson, Thoft.
Total 3

Absent or not voting: Bardanouve, Gould.
Total 2

SB 440 - Representative Wyatt moved the conference committee report #1 to SB 440 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream,

J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Boharski, Clark, R. DeBruycker.
Total 3

Voted Absentee: Cohen, Dowell, Elliott, Steppler, Ayes.

Excused: Lee, L. Nelson, Thoft.
Total 3

Absent or not voting: None.
Total 0

SB 232 - Representative Peterson moved SB 232, third reading copy, be amended as follows (amendment #1):

1. Amend the House Committee on Appropriations amendments dated April 4, 1991 as follows:

Strike: amendments #2 and #3

Amend amendment #5 as follows:
Strike: "$417,300"
Insert: "$42,750"
Strike: "$769,140"
Insert: "$57,000"

Amend Senate Bill 232 (reference copy -- salmon) as follows:

2. Page 6, lines 3 through 5.
Following: "(6) A" on line 3
Strike: remainder of line 3 through "a" on line 5

3. Page 6, lines 17 through 19.
Following: "collect" on line 17
Strike: remainder of line 17 through "and" on line 19

4. Page 6, lines 23 through 25.
Following: "(a)" on line 23
Strike: remainder of line 23 through "A" on line 25
Insert: "A"

5. Page 8, lines 1 through 8.
Strike: subsection (11) in its entirety
Renumber: subsequent subsection

Page 6, line 22.
Strike "fees"
Insert: "fee"

Amendment #1 passed as follows:

Ayes: Bachini, Barnett, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 80

Noes: Barnhart, Becker, J. DeBruycker, Galvin, Gould, J. Johnson, McCaffree, Measure, Ream, Scott, Southworth, Wyatt.
Total 12

Excused: Cohen, Dowell, Elliott, Lee, L. Nelson, Steppler, Thoft.
Total 7

Absent or not voting: Bardanouve.
Total 1

Representative Peterson moved SB 232, as amended, be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Benedict, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cromley, Daily, Darko, Davis, R. DeBruycker, Driscoll, Ellis, Ellison, Fagg, Galvin, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCulloch, Measure, Messmore, T. Nelson, O'Keefe, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 60

Noes: Barnhart, Beck, Becker, Bergsagel, Boharski, D. Brown, Cobb, J. DeBruycker, Dolezal, Elliott, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, Kasten, McCarthy, Menahan, Mercer, Nisbet, Pavlovich, Peck, Phillips, Quilici, Scott, Southworth, Swysgood, Wyatt.
Total 32

Voted Absentee: Elliott, No.

Excused: Cohen, Dowell, Lee, L. Nelson, Steppler, Thoft.
Total 6

Absent or not voting: Connelly, S. J. Hansen.
Total 2

SB 427 - Representative Darko moved SB 427 be concurred in.

Representative Daily made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Daily moved SB 427, third reading copy, be amended as follows (amendment #1):

1. Page 52, line 25.
Following: "winners."
Insert: "The sports tabs must be purchased from a manufacturer licensed under 23-5-152."

2. Page 53, lines 14 through 16.
Strike: "A 100%" on line 14 through "GAME" on line 16
Insert: "at least 90% of the total cost of the 100 sports tabs. The operator of the sports tab game may retain the remaining money for administration and other expenses"

3. Page 69, line 1.
Strike: "."
Insert: " -- tax.
(1)"

4. Page 69, line 3.
Following: "lawful"
Insert: ", except that sports tab games may only be conducted on premises licensed to sell alcoholic beverages for consumption on the premises"

5. Page 69.
Following: line 3
Insert: "(2) A manufacturer licensed under 23-5-152 who sells sports tabs to a licensed operator for use in a sports tab game shall collect from the operator, at the time of sale, a tax of $1 for each 100 sports tabs sold and, within 15 days after the end of each calendar quarter, submit to the department any forms required by the department and the proceeds of the collected tax. The manufacturer shall keep a record of taxes collected as required by department rule. The records must be made available for inspection by the department upon request of the department. The department shall retain the proceeds of the tax to administer this part."

Amendment #1 passed as follows:

Ayes: Bachini, Beck, Becker, Benedict, Bergsagel, D. Brown, Cobb, Cody, Cromley, Daily, Davis, R. DeBruycker, Dolezal, Driscoll, Ellis, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hoffman, Kilpatrick, Larson, McCaffree, McCarthy, McCulloch, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson,

Phillips, Quilici, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Strizich, Swysgood, Toole, Whalen, Wyatt, Zook.
Total 55

Noes: Bardanouve, Barnett, Barnhart, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Darko, J. DeBruycker, Dowell, Ellison, Fagg, Foster, S. J. Hansen, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kimberley, Knox, Lee, Madison, Measure, Mercer, Messmore, T. Nelson, Peck, Raney, Ream, J. Rice, Russell, Stickney, Thomas, Tunby, Wallin, Wanzenried, Mr. Speaker.
Total 43

Voted Absentee: L. Nelson, Steppler, Ayes; Cohen, Dowell, Lee, Noes.

Excused: Elliott, Thoft.
Total 2

Absent or not voting: None.
Total 0

Representative Driscoll moved SB 427, third reading copy, be further amended (amendment #2). Amendment #2 failed as follows: (44-52)

Representative Brooke moved SB 427, third reading copy, be further amended (amendment #3). Amendment #3 failed as follows: (28-69)

Representative Darko moved SB 427, as amended, be concurred in. Motion carried as follows:

Ayes: Bachini, Beck, Becker, Benedict, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, Kadas, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Strizich, Swysgood, Thomas, Toole, Whalen, Wyatt, Zook.
Total 73

Noes: Bardanouve, Barnett, Barnhart, Bergsagel, Boharski, Brooke, Cromley, Dowell, Fagg, Foster, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Measure, T. Nelson, O'Keefe, Peck, J. Rice, Stickney, Tunby, Wallin, Wanzenried, Mr. Speaker.
Total 25

Voted Absentee: Cohen, Elliott, L. Nelson, Steppler, Ayes; Dowell, No.

Excused: Lee, Thoft.
Total 2

Absent or not voting: None.
Total 0

SB 384 - Representative Daily moved SB 384, third reading copy, be amended (amendment #1). Amendment #1 failed as follows: (44-49)

Representative Boharski moved SB 384, third reading copy, be amended as follows (amendment #2).

Representative Harrington made a substitute motion consideration of SB 384 be passed for the day. Motion carried.

HJR 43 - Representative Connelly moved HJR 43, second reading copy, be amended as follows (amendment #1):

1. Title, line 14.
Strike: "SUSTAINABLE"
Insert: "SUSTAINED YIELD"

2. Page 2, line 23.
Strike: "SUSTAINABLE MANAGEMENT"
Insert: "sustained yield"

3. Page 3, line 4.
Strike: "AND ENHANCEMENT"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Becker, Bergsagel, Cohen, Dolezal, Dowell, Kadas, O'Keefe, Raney, Southworth.
Total 9

Voted Absentee: Cohen, Dowell, Noes.

Excused: Elliott, Lee, L. Nelson, Steppler, Thoft.
Total 5

Absent or not voting: Boharski.
Total 1

Representative Connelly moved HJR 43, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Bergsagel, Cohen, Feland, Gilbert, Grinde, M. Hanson, Knox, Simpkins.
Total 8

Voted Absentee: Dowell, Elliott, Lee, Steppler, Ayes; Cohen, No.

Excused: L. Nelson, Thoft.
Total 2

Absent or not voting: Madison.
Total 1

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Ellis moved the adoption of the committee report. Report adopted. (76-15)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/13/91
Correctly enrolled: HB 514.
Examined by the sponsor and found to be correct:
HB 514 - Menahan
Signed by the Speaker at 9:50 a.m., 4/13/91: HB 514.
Delivered to the Governor for his approval at 10:05 a.m., 4/13/91: HB 514.

TAXATION (Harrington, Chairman): 4/13/91
SB 359, third reading copy, be amended as follows:

1. Title, line 7.
Strike: "CERTAIN"

2. Title, line 8.
Strike: "3"
Insert: "4"

3. Page 2, line 6.
Strike: "50"
Insert: "60"

4. Page 2, lines 8 through 12.
Strike: "WHO" on line 8 through "AND" on line 12

5. Page 2, line 14.
Strike: "3"
Insert: "4"

6. Page 3, line 1.
Strike: "2"
Insert: "3"

7. Page 3, lines 2 and 3.
Strike: "may not be claimed as a carryback or carryforward and"

8. Page 3, line 9.
Strike: "3"
Insert: "4"

And, as amended, be concurred in. Report adopted.

SB 436, third reading copy, be amended as follows: 4/12/91

1. Title, line 8.
Following: "PROPERTY;"
Insert: "CLARIFYING THE COMPUTATION OF INCOME FOR PURPOSES OF THE LOW-INCOME PROPERTY TAX CREDIT; PROVIDING THAT AN ELIGIBLE HEAD OF HOUSEHOLD MAY QUALIFY FOR THE LOW-INCOME PROPERTY TAX CREDIT; PROVIDING THAT RURAL RESIDENTIAL PROPERTY BETWEEN 20 AND 40 ACRES IN SIZE BE TAXED AT ONE-HALF THE RATE OF CLASS FOUR PROPERTY;"

2. Title, lines 9 and 10.
Following: "CLAIMS)" on line 9
Strike: ","
Insert: "BY COMBINING IT WITH CLASS THREE PROPERTY; ELIMINATING"
Following: "ESTATE)" on line 10
Strike: ","

3. Title, line 11.
Strike: "ALL"
Insert: "BOTH"

4. Title, line 18.
Following: "FACILITIES;"
Insert: "CHANGING THE CRITERIA FOR CLASSIFYING AGRICULTURAL LAND BY REQUIRING $25 PER ACRE ANNUAL GROSS INCOME FROM AGRICULTURAL PRODUCTION FOR ACRES IN EXCESS OF

20 ACRES BUT LESS THAN 40 ACRES; CHANGING THE CRITERIA FOR CLASSIFYING TIMBERLAND TO PROHIBIT TIMBERLAND CLASSIFICATION IF THE PARCEL IS SUBDIVIDED LAND WITH RESTRICTIONS THAT EFFECTIVELY PROHIBIT TIMBER HARVESTING;"

5. Title, line 19.
Following: "15-1-111,"
Insert: "15-6-133,"

6. Title, line 20.
Following: "15-6-145,"
Insert: "15-6-155,"

7. Title, line 22.
Following: "15-6-153,"
Insert: "AND"

8. Title, lines 23 and 24.
Strike: "AND 15-6-155," on line 23
Following: "PROVIDING" on line 23
Strike: "AN IMMEDIATE"

Strike: "DATE" on line 23
Insert: "DATES,"
Strike: "AND" on line 24
Following: "DATE"
Insert: ", AND A TERMINATION DATE"

9. Page 5.
Following: line 3.
Insert: "Section 3. Section 15-6-133, MCA, is amended to read:

"15-6-133. Class three property -- description -- taxable percentage. (1) Class three property includes:

(a) agricultural land as defined in 15-7-202;

(b) nonproductive patented mining claims outside the limits of an incorporated city or town held by an owner for the ultimate purpose of developing the mineral interests on the property. For the purposes of this subsection (1)(b), the following provisions apply:

(i) The claim may not include any property that is used for residential purposes, recreational purposes as described in 70-16-301, or commercial purposes as defined in 15-1-101 or any property the surface of which is being used for other than mining purposes or has a separate and independent value for such other purposes.

(ii) Improvements to the property that would not disqualify the parcel are taxed as otherwise provided in this title, including that portion of the land upon which such improvements are located and that is reasonably required for the use of the improvements.

(iii) Nonproductive patented mining claim property must be valued as if the land were devoted to agricultural grazing use.

(2) Class three property is taxed at the taxable percentage rate "P" of its productive capacity.

(3) Until July 1, 1986, the taxable percentage rate "P" for class three property is 30%.

(4) Prior to July 1, 1986, the department of revenue shall determine the taxable percentage rate "P" applicable to class three property for the revaluation cycle beginning January 1, 1986, as follows:

(a) The director of the department of revenue shall certify to the governor before July 1, 1986, the percentage by which the appraised value of all property in the state classified under class three as of January 1, 1986, has increased due to the revaluation conducted under 15-7-111. This figure is the "certified statewide percentage increase".

(b) The taxable value of property in class three is determined as a function of the certified statewide percentage increase in accordance with the table shown below.

(c) This table limits the statewide increase in taxable valuation resulting from reappraisal to 0%. In calculating the percentage increase, the department may not consider agricultural use changes during calendar year 1985.

(d) The taxable percentage must be calculated by interpolation to coincide with the nearest whole number certified statewide percentage increase from the following table:

Certified Statewide Percentage Increase	Class Three Taxable Percentage "P"
0	30.00
10	27.27
20	25.00
30	23.08
40	21.43
50	20.00

(5) After July 1, 1986, no adjustment may be made by the department to the taxable percentage rate "P" until a revaluation has been made as provided in 15-7-111.""

Renumber: subsequent sections

10. Page 5, line 18.
Following: "including"
Insert: "net business income or loss and"

11. Page 5, line 20.
Following: "couple"
Insert: "or a head of household"

12. Page 5, line 24.
Strike: "."
Insert: ";"

13. Page 5.
Following: line 24
Insert: "(e) contiguous parcels of residential land not within the limits of an incorporated city or town that are larger than 20 acres but less

than 40 acres, together with all improvements, including any trailer or mobile home used as a residence;

(f) all real and personal property that:

(i) is integrally related in a single working unit;

(ii) is devoted exclusively to the processing of agricultural or timber products; and

(iii) (A) has not been in production for 12 consecutive months or has been acquired in an arm's-length transaction by an unrelated person, including an acquisition in a foreclosure sale or bankruptcy proceeding; or

(B) has been acquired in a foreclosure or bankruptcy proceeding by a person, as defined in 15-1-102, having no relationship to or interest in the property prior to the transaction."

14. Page 6.
Following: line 9
Under: "Married Couple" on line 9
Insert: "Head of Household"

15. Page 7, line 9.
Strike: "subsection"
Insert: "subsections"
Following: "(1)(d)"
Insert: "and (1)(e)"

16. Page 7.
Following: line 11
Insert: "(d) (i) In determining the market value of the property described in subsection (1)(e), the department shall reduce the assessed value by 25% a year for each year the plant continues to be out of production until the market value is reduced to salvage value.

(ii) Upon commencement of production or an acquisition described in subsection (1)(e)(iii)(B), property described in subsection (1)(e) must remain at the preceding year's valuation for the succeeding 12 months. Following the end of the 12-month period, the property may be considered new or expanding industry as provided in Title 15, chapter 24, part 14."

17. Page 13.
Following: line 11
Insert: "Section 9. Section 15-6-155, MCA, is amended to read:

"15-6-155. Application for classification as ~~class twenty~~ nonproductive property -- local government approval required. (1) A person applying for classification of property as ~~class twenty~~ nonproductive property under 15-6-134(1)(e) shall make an application to the department of revenue on a form provided by the department without cost.

(2) The department may not grant an application for classification of property as ~~class twenty~~ nonproductive property unless the governing body of the affected county or incorporated city or town approves the application by resolution, following due notice as defined in 76-15-103 and a public hearing, for its respective jurisdiction.

(3) The resolution provided for in subsection (2) must specify the property that the taxing jurisdiction approves for classification as ~~class twenty~~ nonproductive property under 15-6-134(1)(e).

(4) The property valuation reduction ~~granted to class twenty property under 15-6-150~~ applies only to the number of mills levied and assessed for local high school district and elementary school district purposes and to the number of mills levied and assessed by an approving governing body over which it has sole discretion. In no case may the property valuation reduction ~~for class twenty property~~ apply to levies or assessments required under Title 15, chapter 10; 20-9-331; 20-9-333; or otherwise required under state law.""

Renumber: subsequent sections

18. Page 23, line 8.
Following: "Repealer."
Insert: "(1)"

19. Page 23, line 9.
Following: "15-6-153,"
Insert: "and"

20. Page 23, line 10.
Strike: "and 15-6-155,"

21. Page 23.
Following: line 10
Insert: "(2) Section 15-6-155, MCA, is repealed."

22. Page 23.
Following: line 20
Insert: "NEW SECTION. Section 17. Termination. Subsections (1)(f) and (2)(d) of 15-6-134 terminate January 1, 1993."
Renumber: subsequent section

23. Page 23, lines 21 and 22.
Strike: "DATE" on line 21
Insert: "DATES"
Following: "APPLICABILITY." on line 22
Insert: "(1)"
Strike: "[This"
Insert: "Except as provided in subsection (2), [this"

24. Page 23.
Following: line 25
Insert: "(2) [Section 15(2)] is effective January 1, 1993."

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/12/91

HB 6, introduced by Connelly
HB 9, introduced by Connelly
HB 10, introduced by Bardanouve
HB 298, introduced by Cobb
HB 393, introduced by Cobb
HB 491, introduced by O'Keefe
HB 498, introduced by Steppler
HB 520, introduced by Cocchiarella
HB 524, introduced by Raney
HB 728, introduced by Ream
HB 777, introduced by Quilici
HB 841, introduced by Bergsagel
HB 842, introduced by Connelly
HB 876, introduced by Wyatt
HB 968, introduced by Brooke

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/12/91

HB 4, introduced by Bardanouve
HB 8, introduced by Connelly
HB 299, introduced by S. Rice
HB 508, introduced by Kadas
HB 804, introduced by Menahan
HB 927, introduced by Harrington
HB 937, introduced by Stickney
HB 982, introduced by O'Keefe

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 4/13/91

HB 2, introduced by Bardanouve

MOTIONS

Representative Driscoll moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 511 and HB 518. Motion carried.

Representative Hansen moved the rules be suspended to allow her to be recorded as voting yes on Senate amendments to HB 514, third reading. Motion carried.

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the conference committee on Senate amendments to HB 511:

Representative Strizich, Chairman

Representative Wanzenried
Representative R. Johnson

Mr. Speaker appointed the following members to the conference committee on Senate amendments to HB 518:

Representative Schye, Chairman
Representative O'Keefe
Representative Messmore

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 9:00 a.m., Monday, April 15, 1991. Motion carried.

House adjourned at 10:45 a.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

EIGHTIETH LEGISLATIVE DAY

Helena, Montana
April 15, 1991

House Chambers
State Capitol

House convened at 9:10 a.m. Mr. Speaker in the Chair. Invocation by Reverend Oyer Morgan. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellison, Grady, Thoft, Toole, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the seventy-first and seventy-second legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/15/91
Correctly engrossed: HJR 43, SB 232, SB 427.
Correctly enrolled: HB 37, HB 152, HB 187, HB 252, HB 417, HB 418, HB 472, HB 576, HB 580, HB 618, HB 739, HB 776.
Examined by the sponsor and found to be correct:
HB 37 - Davis
HB 152 - Harrington
HB 187 - Driscoll
HB 252 - Forrester
HB 417 - Elliott
HB 418 - Madison
HB 472 - J. DeBruycker
HB 576 - Harper
HB 580 - Schye
HB 618 - Bergsagel
HB 739 - J. Rice
HB 776 - Bergsagel

Representative Driscoll moved the House recess until 10:40 a.m. Motion carried.

House recessed at 9:15 a.m.

House reconvened at 10:40 a.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/15/91
Delivered to the Governor for his approval at 10:20 a.m., 4/15/91: HB 62, HB 110, HB 150, HB 176, HB 239, HB 268, HB 292, HB 303, HB 325, HB 353, HB 953.
Delivered to the Secretary of State at 10:30 a.m., 4/15/91: HJR 37

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Cocchiarella in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 48 - Representative Quilici moved HJR 48 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Ellison, Grady, Thoft, Toole.
Total 4

Absent or not voting: Simpkins, Swysgood.
Total 2

HJR 50 - Representative Phillips moved HJR 50 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 90

Noes: Bergsagel, Gilbert, Wyatt.
Total 3

Excused: Ellison, Grady, Thoft, Toole.
Total 4

Absent or not voting: J. Johnson, McCarthy, Swysgood.
Total 3

HB 4 - Representative Bardanouve moved consideration of Senate amendments to HB 4 be placed below HB 982 on the second reading board. Motion carried.

HB 8 - Representative Connelly moved Senate amendments to HB 8 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Daily, Gilbert, Measure, Raney.
Total 4

Excused: Ellison, Grady, Thoft, Toole.
Total 4

Absent or not voting: Swysgood.
Total 1

HB 299 - Representative S. Rice moved Senate amendments to HB 299 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler,

Stickney, Strizich, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Bergsagel, Clark, R. DeBruycker, Feland, Gilbert, Peck.
Total 6

Excused: Ellison, Grady, Thoft, Toole.
Total 4

Absent or not voting: Bardanouve, McCulloch, Swysgood.
Total 3

HB 508 - Representative Kadas moved Senate amendments to HB 508 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Brooke, Clark, R. DeBruycker, Gilbert, S. J. Hansen, H. S. Hanson.
Total 6

Excused: Ellison, Grady, Thoft, Toole.
Total 4

Absent or not voting: Grinde, Stang, Swysgood.
Total 3

HB 804 - Representative Menahan moved Senate amendments to HB 804 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 73

Noes: Benedict, Boharski, Clark, Cromley, R. DeBruycker, Ellis, Feland, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Knox, Peterson, Phillips, Spring, Thomas, Tunby, Wallin, Zook.
Total 22

Excused: Ellison, Grady, Thoft, Toole.
Total 4

Absent or not voting: Swysgood.
Total 1

Representative Stang in the Chair at this time.

HB 927 - Representative Harrington moved Senate amendments to HB 927 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 72

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, R. DeBruycker, Ellis, Ellison, Feland, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, T. Nelson, Peterson, Spring, Thomas, Wallin, Zook.
Total 23

Voted Absentee: Ellison, No.

Excused: Grady, Thoft, Toole.
Total 3

Absent or not voting: Driscoll, Swysgood.
Total 2

HB 937 - Representative Stickney moved Senate amendments to HB 937 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell,

Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Benedict, Bergsagel, Boharski, R. DeBruycker, Feland, Gilbert, Peterson, Spring.
Total 8

Excused: Ellison, Grady, Thoft, Toole.
Total 4

Absent or not voting: Kadas, Lee.
Total 2

HB 982 - Representative Schye moved Senate amendments to HB 982 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Steppler, Stickney, Strizich, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 61

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Connelly, R. DeBruycker, Ellis, Ellison, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Peterson, Phillips, Simpkins, Spring, Swysgood, Thomas, Tunby, Wallin, Zook.
Total 35

Voted Absentee: Ellison, No.

Excused: Grady, Thoft, Toole.
Total 3

Absent or not voting: Stang.
Total 1

HB 4 - Representative S. Rice moved consideration of Senate amendments to HB 4 be placed below SB 390 on the second reading board. Motion carried.

SB 461 - Representative Ream moved SB 461 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais,

S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Whalen, Wyatt, Mr. Speaker.
Total 56

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Connelly, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, Madison, McCaffree, Mercer, Messmore, T. Nelson, Peterson, Phillips, Raney, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Zook.
Total 44

Voted Absentee: Ellison, Grady, Thoft, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 226 - Representative O'Keefe moved SB 226 be concurred in.

Representative Harrington made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Harrington moved SB 226, third reading copy, be amended (amendment #1). Amendment #1 failed as follows: (45-52)

Representative Mercer moved SB 226, third reading copy, be amended as follows (amendment #2):

1. Title, line 18.
Following: "PROVIDING"
Strike: "AN IMMEDIATE"
Insert: "A DELAYED"

2. Title, line 19.
Following: the first "DATE"
Strike: remainder of line 19
Insert: "."

3. Page 22, lines 15 and 16.
Strike: "-- retroactive applicability"

4. Page 22, lines 16 through 18.
Following: "[This act]" on line 16
Strike: remainder of line 16 through "1-2-109," on line 18
Insert: "applies"

5. Page 22, line 18.

Strike: "1990"
Insert: "1992"

Amendment #2 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, R. DeBruycker, Dolezal, Driscoll, Ellis, Fagg, Feland, Foster, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kimberley, Knox, Larson, Lee, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, J. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Whalen, Zook, Mr. Speaker.
Total 74

Noes: Bachini, Brooke, Cohen, Darko, Davis, J. DeBruycker, Dowell, Elliott, Forrester, Galvin, Gervais, J. Johnson, Kadas, Kilpatrick, Madison, Measure, Nisbet, Peck, Ream, S. Rice, Russell, Wanzenried, Wyatt.
Total 23

Excused: Ellison, Grady, Thoft.
Total 3

Absent or not voting: None.
Total 0

Thereupon, SB 226, as amended, was concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Connelly, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Foster, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, Measure, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Peterson, Ream, J. Rice, Russell, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Zook, Mr. Speaker.
Total 59

Noes: Bachini, Barnett, Benedict, Boharski, D. Brown, Cobb, Cody, Cohen, Cromley, Daily, Darko, Davis, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, H. S. Hanson, Harrington, Hayne, Hoffman, Kasten, Keller, Lee, McCarthy, McCulloch, Menahan, T. Nelson, Pavlovich, Peck, Phillips, Quilici, Raney, S. Rice, Schye, Simpkins, Swysgood, Wanzenried, Wyatt.
Total 41

Voted Absentee: Grady, Thoft, Ayes; Ellison, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 94 - Representative Driscoll moved SB 94, third reading copy, be amended (amendment #1). Amendment #1 failed as follows: (46-50)

Representative O'Keefe moved SB 94 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Ellis, Fagg, Forrester, Galvin, Gervais, Gilbert, M. Hanson, Harrington, Hayne, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 70

Noes: Benedict, Bergsagel, Boharski, Clark, Cobb, Connelly, R. DeBruycker, Elliott, Feland, Foster, Gould, S. J. Hansen, H. S. Hanson, Hoffman, R. Johnson, Kasten, Knox, L. Nelson, Phillips, Simpkins, Steppler, Swysgood, Thoft, Wanzenried.
Total 24

Excused: Ellison, Grady.
Total 2

Absent or not voting: Driscoll, Grinde, Lee, Scott.
Total 4

Representative Driscoll moved the Committee rise. Motion carried. Mr. Speaker in the Chair.

MOTIONS

Representative Harrington moved the rules be suspended to allow him to be recorded as voting no on SB 226, second reading. Motion carried.

Representative Cody moved SB 428 be taken from the table in the Committee on Taxation, printed, and placed on second reading the 81st legislative day. Motion carried.

Representative Driscoll moved the House recess until 2:30 p.m. Motion carried.

House recessed at 1:05 p.m.

House reconvened at 2:30 p.m. Mr. Speaker in the Chair.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Stang in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 115 - Representative Pavlovich moved SB 115, third reading copy, be amended (amendment #1). Amendment #1 failed as follows: (37-50)

Representative Kadas moved SB 115, third reading copy, be amended as follows (amendment #2):

1. Amend the House Committee on Taxation amendments dated April 12, 1991, as follows:

Strike: amendments #1, #4, and #5 in their entirety

Amendment #2 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 80

Noes: Barnett, Daily, Measure, Pavlovich.
Total 4

Excused: Ellison, Grady.
Total 2

Absent or not voting: Bergsagel, Clark, Cobb, Connelly, Cromley, J. DeBruycker, Gilbert, Harrington, Lee, McCulloch, Strizich, Thomas, Whalen, Wyatt.
Total 14

Representative R. Johnson moved SB 115, as amended, be concurred in.

Representative Harper made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Harper moved SB 115, third reading copy, be further amended (amendment #3). Amendment #3 failed as follows: (42-56)

Representative Bachini moved SB 115, third reading copy, be further amended (amendment #4). Amendment #4 failed as follows: (24-66)

Representative Pavlovich moved SB 115, third reading copy, be further amended (amendment #5). Amendment #5 failed as follows: (40-53)

Representative Daily moved to call for cloture. Motion carried.

Thereupon, SB 115, as amended, failed as follows:

Ayes: Bardanouve, Barnhart, Bradley, Brooke, Clark, Cocchiarella, Cohen, Cromley, Daily, Driscoll, Ellis, Fagg, Forrester, S. J. Hansen, J. Johnson, R. Johnson, Kadas, Madison, T. Nelson, O'Keefe, Peck, Raney, Ream, S. Rice, Schye, Strizich, Toole.
Total 27

Noes: Bachini, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, D. Brown, J. Brown, Cobb, Cody, Connelly, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellison, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, J. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 72

Voted Absentee: Ellison, No.

Excused: Grady.
Total 1

Absent or not voting: None.
Total 0

SB 151 - Representative Harrington moved SB 151 be concurred in. Motion failed as follows:

Ayes: Bardanouve, Barnhart, Beck, Bradley, Brooke, D. Brown, Cocchiarella, Daily, Darko, Dolezal, Dowell, Driscoll, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Toole, Whalen, Wyatt.
Total 41

Noes: Bachini, Barnett, Becker, Benedict, Bergsagel, Boharski, J. Brown, Clark, Cobb, Cody, Cohen, Connelly, Cromley, Davis, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert,

Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Larson, Lee, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Raney, J. Rice, Simpkins, Spring, Stang, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Zook.
Total 57

Voted Absentee: Ellison, Grady, Noes.

Excused: Mr. Speaker.
Total 1

Absent or not voting: Quilici.
Total 1

SB 275 - Representative Cobb moved SB 275, third reading copy, be amended as follows (amendment #1):

1. Title, line 10.
Following: "~~TAX;~~"
Insert: "REPEALING THE LAWS ON STATE STORE LICENSES;"

2. Title, line 11.
Following: "SECTIONS"
Insert: "15-57-101, 15-57-102, 15-57-103, 15-57-104, 15-57-105, 15-57-106, 15-57-107, 15-57-108, 15-57-109, 15-57-110,"

Title, line 20.
Strike: "AN IMMEDIATE"
Strike: "DATE"
Insert: "DATES"

3. Page 2, line 23.
Following: line 22.
Insert: "NEW SECTION. Section 3. Repealer. Sections 15-57-101, 15-57-102, 15-57-103, 15-57-104, 15-57-105, 15-57-106, 15-57-107, 15-57-108, 15-57-109, and 15-57-110, MCA, are repealed."
Renumber: subsequent sections

4. Page 2, line 24.
Strike: "through 4"
Insert: "and 2"

5. Page 3, line 1.
Following: "Effective"
Strike: "date"
Insert: "dates"
Following: "."
Insert: "(1)"
Strike "[This act] is"
Insert: "[Sections 1 and 2] are"

6. Page 3, line 2.
Following: line 2

Insert: "(2) [Section 3] is effective December 31, 1991"

Amendment #1 passed as follows:

Ayes: Bachini, Barnett, Benedict, Boharski, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, R. DeBruycker, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Larson, Lee, McCaffree, Mercer, Messmore, T. Nelson, Peterson, Phillips, Raney, J. Rice, Russell, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Zook.
Total 58

Noes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, Clark, Cohen, Cromley, J. DeBruycker, Dolezal, Elliott, Gervais, Harrington, Kadas, Kilpatrick, Kimberley, Madison, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Peck, Quilici, Ream, S. Rice, Scott, Southworth, Strizich, Whalen, Wyatt, Mr. Speaker.
Total 35

Excused: Ellison, Grady.
Total 2

Absent or not voting: Bergsagel, S. J. Hansen, Pavlovich, Schye, Wanzenried.
Total 5

Representative Fagg moved SB 275, as amended, be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Benedict, Bergsagel, Boharski, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Darko, R. DeBruycker, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kimberley, Knox, Lee, Mercer, Messmore, T. Nelson, Peterson, Phillips, Raney, S. Rice, Russell, Simpkins, Spring, Stang, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Zook.
Total 53

Noes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, Cohen, Connelly, Cromley, Daily, Davis, J. DeBruycker, Dolezal, Elliott, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Ream, Schye, Scott, Southworth, Squires, Stickney, Strizich, Toole, Whalen, Wyatt, Mr. Speaker.
Total 44

Excused: Ellison, Grady.
Total 2

Absent or not voting: J. Rice.
Total 1

SB 318 - Representative Hoffman moved SB 318 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Foster, Galvin, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 76

Noes: Bergsagel, Boharski, Daily, Davis, R. DeBruycker, Elliott, Feland, Forrester, Grinde, Kasten, Knox, Lee, McCulloch, Measure, Pavlovich, Quilici, Southworth, Steppler, Swysgood, Thoft.
Total 20

Excused: Ellison, Grady.
Total 2

Absent or not voting: Bardanouve, Gervais.
Total 2

SB 359 - Representative Foster moved SB 359 be concurred in. Motion carried as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, McCarthy, Menahan, Mercer, Messmore, T. Nelson, O'Keefe, Peck, Peterson, Phillips, Raney, J. Rice, S. Rice, Russell, Schye, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook.
Total 70

Noes: Bachini, Bardanouve, Boharski, Brooke, Daily, Dowell, Driscoll, Gervais, S. J. Hansen, Harrington, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCulloch, Measure, Nisbet, Pavlovich, Quilici, Ream, Scott, Southworth, Thoft, Whalen, Mr. Speaker.
Total 26

Excused: Ellison, Grady.
Total 2

Absent or not voting: Elliott, L. Nelson.
Total 2

SB 390 - Representative Thomas moved SB 390 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Daily, McCaffree, Measure, Pavlovich, Scott.
Total 5

Excused: Ellison, Grady.
Total 2

Absent or not voting: Boharski, Gervais, S. Rice.
Total 3

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Stang moved the adoption of the committee report.

Representative Harrington made a substitute motion SB 151 be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion carried. (53-45)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/15/91
Correctly enrolled: HB 29, HB 159, HB 162, HB 192, HB 195, HB 261, HB 271, HB 328, HB 336, HB 360, HB 419, HB 431, HB 446, HB 497, HB 534, HB 538, HB 549, HB 556, HB 557, HB 668, HB 767, HB 847, HB 882, HB 909, HB 924, HB 947, HB 948, HJR 36.
Examined by the sponsor and found to be correct:
HB 159 - Connelly
HB 162 - Gilbert
HB 195 - Kilpatrick
HB 261 - Kilpatrick
HB 328 - Cobb
HB 668 - Darko
HB 767 - Measure
HB 847 - Lee
HB 882 - Russell
HB 909 - D. Brown
HB 947 - McCaffree

HB 948 - R. Johnson

Signed by the Speaker at 11:40 a.m., 4/15/91: HB 144, HB 209, HB 228, HB 251, HB 338, HB 359, HB 377, HB 405, HB 470, HB 751.

Signed by the Speaker at 12:10 p.m., 4/15/91: SB 10, SB 56, SB 120, SB 123, SB 164, SB 274, SB 277, SB 284, SB 287, SB 310, SB 314, SB 330.

Signed by the Speaker at 12:45 p.m., 4/15/91: SB 363, SB 395, SB 400, SJR 16, SJR 17, SJR 18, SJR 20, SJR 23, SJR 24, SJR 25.

Signed by the Speaker at 2:30 p.m., 4/15/91: HB 37, HB 152, HB 187, HB 252, HB 417, HB 418, HB 472, HB 576, HB 580, HB 618, HB 739, HB 776.

Delivered to the Governor for his approval at 4:45 p.m., 4/15/91: HB 144, HB 209, HB 228, HB 251, HB 338, HB 359, HB 377, HB 470, HB 751.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 4/15/91
HJR 51, introduced bill, do pass. Report adopted.

TAXATION (Harrington, Chairman): 4/15/91
SB 436, third reading copy, be amended as follows:

(This report corrects the Taxation standing committee report dated April 12, 1991.)

1. Title, line 8.
Following: "PROPERTY;"
Insert: "CLARIFYING THE COMPUTATION OF INCOME FOR PURPOSES OF THE LOW-INCOME PROPERTY TAX CREDIT; PROVIDING THAT AN ELIGIBLE HEAD OF HOUSEHOLD MAY QUALIFY FOR THE LOW-INCOME PROPERTY TAX CREDIT; PROVIDING THAT RURAL RESIDENTIAL PROPERTY BETWEEN 20 AND 40 ACRES IN SIZE BE TAXED AT ONE-HALF THE RATE OF CLASS FOUR PROPERTY;"

2. Title, lines 9 and 10.
Following: "CLAIMS)" on line 9
Strike: ","
Insert: "BY COMBINING IT WITH CLASS THREE PROPERTY; ELIMINATING"
Following: "ESTATE)" on line 10
Strike: ","

3. Title, line 11.
Strike: "ALL"
Insert: "BOTH"

4. Title, line 18.
Following: "FACILITIES;"
Insert: "CHANGING THE CRITERIA FOR CLASSIFYING AGRICULTURAL LAND BY REQUIRING $25 PER ACRE ANNUAL GROSS INCOME FROM AGRICULTURAL PRODUCTION FOR ACRES IN EXCESS OF 20 ACRES BUT LESS THAN 40 ACRES; CHANGING THE CRITERIA FOR CLASSIFYING TIMBERLAND TO PROHIBIT TIMBERLAND

CLASSIFICATION IF THE PARCEL IS SUBDIVIDED LAND WITH RESTRICTIONS THAT EFFECTIVELY PROHIBIT TIMBER HARVESTING;"

5. Title, line 19.
Following: "15-1-111,"
Insert: "15-6-133,"
Following: "15-6-141,"
Insert: "15-6-143,"

6. Title, line 20.
Following: "15-6-145,"
Insert: "15-6-155, 15-7-202,"

7. Title, lines 23 and 24.
Following: "PROVIDING" on line 23
Strike: "AN IMMEDIATE"

Strike: "DATE" on line 23
Insert: "DATES,"
Strike: "AND" on line 24
Following: "DATE"
Insert: ", AND A TERMINATION DATE"

8. Page 5.
Following: line 3.
Insert: "Section 3. Section 15-6-133, MCA, is amended to read:

"15-6-133. Class three property -- description -- taxable percentage. (1) Class three property includes:

(a) agricultural land as defined in 15-7-202;

(b) nonproductive patented mining claims outside the limits of an incorporated city or town held by an owner for the ultimate purpose of developing the mineral interests on the property. For the purposes of this subsection (1)(b), the following provisions apply:

(i) The claim may not include any property that is used for residential purposes, recreational purposes as described in 70-16-301, or commercial purposes as defined in 15-1-101 or any property the surface of which is being used for other than mining purposes or has a separate and independent value for such other purposes.

(ii) Improvements to the property that would not disqualify the parcel are taxed as otherwise provided in this title, including that portion of the land upon which such improvements are located and that is reasonably required for the use of the improvements.

(iii) Nonproductive patented mining claim property must be valued as if the land were devoted to agricultural grazing use.

(2) Class three property is taxed at the taxable percentage rate "P" of its productive capacity.

(3) Until July 1, 1986, the taxable percentage rate "P" for class three property is 30%.

(4) Prior to July 1, 1986, the department of revenue shall determine the taxable percentage rate "P" applicable to class three

property for the revaluation cycle beginning January 1, 1986, as follows:

(a) The director of the department of revenue shall certify to the governor before July 1, 1986, the percentage by which the appraised value of all property in the state classified under class three as of January 1, 1986, has increased due to the revaluation conducted under 15-7-111. This figure is the "certified statewide percentage increase".

(b) The taxable value of property in class three is determined as a function of the certified statewide percentage increase in accordance with the table shown below.

(c) This table limits the statewide increase in taxable valuation resulting from reappraisal to 0%. In calculating the percentage increase, the department may not consider agricultural use changes during calendar year 1985.

(d) The taxable percentage must be calculated by interpolation to coincide with the nearest whole number certified statewide percentage increase from the following table:

Certified Statewide Percentage Increase	Class Three Taxable Percentage "P"
0	30.00
10	27.27
20	25.00
30	23.08
40	21.43
50	20.00

(5) After July 1, 1986, no adjustment may be made by the department to the taxable percentage rate "P" until a revaluation has been made as provided in 15-7-111.""

Renumber: subsequent sections

9. Page 5, line 18.
Following: "including"
Insert: "net business income or loss and"

10. Page 5, line 20.
Following: "couple"
Insert: "or a head of household"

11. Page 5, line 24.
Strike: "."
Insert: ";"

12. Page 5.
Following: line 24
Insert: "(e) contiguous parcels of residential land not within the limits of an incorporated city or town that are larger than 20 acres but less than 40 acres, together with all improvements, including any trailer or mobile home used as a residence;

(f) all real and personal property that:

(i) is integrally related in a single working unit;

(ii) is devoted exclusively to the processing of agricultural or timber products; and

(iii) (A) has not been in production for 12 consecutive months or has been acquired in an arm's-length transaction by an unrelated person, including an acquisition in a foreclosure sale or bankruptcy proceeding; or

(B) has been acquired in a foreclosure or bankruptcy proceeding by a person, as defined in 15-1-102, having no relationship to or interest in the property prior to the transaction."

13. Page 6.
Following: line 9
Under: "Married Couple" on line 9
Insert: "Head of Household"

14. Page 7, line 9.
Strike: "subsection"
Insert: "subsections"
Following: "(1)(d)"
Insert: "and (1)(e)"

15. Page 7.
Following: line 11
Insert: "(d) (i) In determining the market value of the property described in subsection (1)(e), the department shall reduce the assessed value by 25% a year for each year the plant continues to be out of production until the market value is reduced to salvage value.

(ii) Upon commencement of production or an acquisition described in subsection (1)(e)(iii)(B), property described in subsection (1)(e) must remain at the preceding year's valuation for the succeeding 12 months. Following the end of the 12-month period, the property may be considered new or expanding industry as provided in Title 15, chapter 24, part 14."

16. Page 10.
Following: line 24
Insert: "Section 7. Section 15-6-143, MCA, is amended to read:

"15-6-143. (Temporary) Class thirteen property -- description -- taxable percentage. (1) Class thirteen property includes all timberland.

(2) (a) Timberland is contiguous land exceeding 15 acres in one ownership that is capable of producing timber that can be harvested in commercial quantity.

(b) Land may not be classified or valued as timberland if it is subdivided into parcels of land larger than 15 acres for commercial or residential purposes and has stated restrictions effectively prohibiting the harvesting of timber.

(3) Class thirteen property is taxed at ~~the percentage rate "P"~~ 4% of the combined appraised value of the standing timber and grazing productivity of the property.

~~(4) For taxable years beginning January 1, 1986, and thereafter, the taxable percentage rate "P" applicable to class thirteen property is 30%/B, where B is the certified statewide percentage increase to be determined by the department of revenue as provided in subsection (5). The taxable percentage rate "P" shall~~

~~be rounded downward to the nearest 0.01% and shall be calculated by the department before July 1, 1986.~~

~~(5) (a) Prior to July 1, 1986, the department shall determine the certified statewide percentage increase for class thirteen property using the formula B = X/Y, where:~~

~~(i) X is the appraised value, as of January 1, 1986, of all property in the state, excluding use changes occurring during the preceding year, classified under class thirteen as class thirteen is described in this section; and~~

~~(ii) Y is the appraised value, as of January 1, 1985, of all property in the state that, as of January 1, 1986, would be classified under class thirteen as class thirteen is described in this section.~~

~~(b) B shall be rounded downward to the nearest 0.0001%.~~

~~(6) After July 1, 1986, no adjustment may be made by the department to the taxable percentage rate "P" until a valuation has been made as provided in 15-7-111. (Terminates January 1, 1991 - sec. 10, Ch. 681, L. 1985.)~~""

Renumber: subsequent sections

17. Page 13.
Following: line 11
Insert: "Section 10. Section 15-6-155, MCA, is amended to read:

"15-6-155. Application for classification as ~~class twenty~~ nonproductive property -- local government approval required. (1) A person applying for classification of property as ~~class twenty~~ nonproductive property under 15-6-134(1)(e) shall make an application to the department of revenue on a form provided by the department without cost.

(2) The department may not grant an application for classification of property as ~~class twenty~~ nonproductive property unless the governing body of the affected county or incorporated city or town approves the application by resolution, following due notice as defined in 76-15-103 and a public hearing, for its respective jurisdiction.

(3) The resolution provided for in subsection (2) must specify the property that the taxing jurisdiction approves for classification as ~~class twenty~~ nonproductive property under 15-6-134(1)(e).

(4) The property valuation reduction ~~granted to class twenty property under 15-6-150~~ applies only to the number of mills levied and assessed for local high school district and elementary school district purposes and to the number of mills levied and assessed by an approving governing body over which it has sole discretion. In no case may the property valuation reduction ~~for class twenty property~~ apply to levies or assessments required under Title 15, chapter 10; 20-9-331; 20-9-333; or otherwise required under state law."

Section 11. Section 15-7-202, MCA, is amended to read:

"15-7-202. Eligibility of land for valuation as agricultural. (1) Contiguous parcels of land totaling ~~20~~ 40 acres or more under one ownership shall be eligible for valuation, assessment, and

taxation as agricultural land each year that none of the parcels is devoted to a commercial or industrial use.

(2) Contiguous or noncontiguous parcels of land totaling less than ~~20~~ 40 acres under one ownership that are actively devoted to agricultural use shall be eligible for valuation, assessment, and taxation as herein provided each year the parcels meet any of the following qualifications:

(a) if the parcels are less than 20 acres, they must produce and the owner or the owner's agent, employee, or lessee markets not less than $1,500 in annual gross income from the raising of livestock, poultry, field crops, fruit, and other animal and vegetable matter for food or fiber;

(b) if the parcels are 20 acres or larger and less than 40 acres, each parcel must produce the $1,500 in annual gross income required in subsection (2)(a), plus an additional $25 per acre or fraction of an acre that is in excess of 20 acres, in annual gross income from the sources specified in subsection (2)(a); or

~~(b)~~(c) the parcels would have met the qualification set out in subsection (2)(a) or (2)(b) were it not for independent intervening causes of production failure beyond the control of the producer or marketing delay for economic advantage, in which case proof of qualification in a prior year will suffice.

(3) Parcels that do not meet the qualifications set out in subsections (1) and (2) shall not be classified or valued as agricultural if they are part of a platted subdivision that is filed with the county clerk and recorder in compliance with the Montana Subdivision and Platting Act.

(4) Land shall not be classified or valued as agricultural if it is subdivided with stated restrictions prohibiting its use for agricultural purposes.

(5) The grazing on land by a horse or other animals kept as a hobby and not as a part of a bona fide agricultural enterprise shall not be considered a bona fide agricultural operation.

(6) If land has been valued, assessed, and taxed as agricultural land in any year, it shall continue to be so valued, assessed, and taxed until the department reclassifies the property. A reclassification does not mean revaluation pursuant to 15-7-111.

(7) For the purposes of this part, growing timber is not an agricultural use. (Subsection (7) terminates January 1, 1991--sec. 10, Ch. 681, L. 1985.)""

Renumber: subsequent sections

18. Page 23, line 8.
Following: "Repealer."
Insert: "(1)"

19. Page 23, line 9.
Following: "15-6-153,"
Insert: "and"

20. Page 23, line 10.
Strike: "and 15-6-155,"

21. Page 23.
Following: line 10
Insert: "(2) Section 15-6-155, MCA, is repealed."

22. Page 23.
Following: line 20
Insert: "NEW SECTION. Section 19. Termination. Subsections (1)(e) and (2)(d) of 15-6-134 terminate January 1, 1993."
Renumber: subsequent section

23. Page 23, lines 21 and 22.
Strike: "DATE" on line 21
Insert: "DATES"
Following: "APPLICABILITY." on line 22
Insert: "(1)"
Strike: "[This"
Insert: "Except as provided in subsection (2), [this"

24. Page 23.
Following: line 25
Insert: "(2) [Section 17(2)] is effective January 1, 1993."

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bill not concurred in and returned to the House: 4/9/91

HB 550, introduced by Grady

House bill not concurred in and returned to the House: 4/11/91

HB 786, introduced by Quilici

House bill indefinitely postponed and returned to the House: 4/11/91

HB 866, introduced by D. Brown

MESSAGES FROM THE GOVERNOR

April 15, 1991

The Honorable Hal Harper
Speaker
House of Representatives
State Capitol
Helena, Montana 59620

The Honorable Joseph P. Mazurek
President
Montana State Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto the adoption of House Bill 68, "AN ACT PROVIDING THAT AN EMPLOYEE MAY BE DENIED UNEMPLOYMENT INSURANCE BENEFITS BECAUSE OF A STOPPAGE OF WORK; AMENDING SECTION 39-51-2305, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

This legislation attempts to turn the clock of Montana history back to the days of an unstable and uncertain unemployment trust fund. Presently, employees who chose to strike against an employer do so on their own volition. The passage of this legislation would substantially alter the delicate balance necessary in the management/employee collective bargaining process by permitting unemployment benefits to striking workers. The remaining Montana work force and employers would subsidize striking workers who choose not to return to work.

Because of responsible action by this legislative assembly in 1985 and prudent executive management, the Unemployment Insurance Trust Fund is stable and dependable. I cannot permit a deterioration of that trust fund. The Montana Unemployment Insurance Trust Fund has been through very difficult financial times. Employment disputes from a major private or public entity could seriously jeopardize the fund.

An unemployed worker faces difficult hardships and adjustments. The trust fund was created and preserved for men and women who lose their jobs through no fault of their own. They seek to return to work as soon as possible and need and deserve this assistance. This fund was not established for strike purposes.

Under present law, if an employer has committed an unfair labor practice, then affected employees are entitled to unemployment insurance benefits. This presents a fair and reasonably balanced approach to disputes.

House Bill 68 also places public service providers at a significant disadvantage. Certain essential services -- such as hospitals, police and fire protection -- require the business to remain open. If there is a labor dispute involving these services, this legislation would permit strikers to receive unemployment benefits. This scenario will prolong strikes. The people who rely on these services will suffer through no fault of their own.

For these reasons I veto House Bill 68.

Sincerely,

STAN STEPHENS
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House resolution was introduced, read first time, and referred to committee:

HR 4, introduced by Brooke, Russell, Darko, Stickney, Becker, S. Rice, Measure, Wyatt, Ream, Grinde, Connelly, Cocchiarella, Raney, Driscoll, J. Brown, J. DeBruycker, Barnhart, Squires, Bradley, Hansen, Messmore, Strizich, Kadas, referred to Committee on Legislative Administration

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 348, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Boharski, R. DeBruycker.
Total 2

Excused: Ellison, Grady.
Total 2

Absent or not voting: Lee, Phillips.
Total 2

SB 440, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang,

Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Boharski, R. DeBruycker, Measure.
Total 3

Excused: Ellison, Grady.
Total 2

Absent or not voting: Lee, Southworth.
Total 2

SB 232 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Becker, Benedict, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Forrester, Galvin, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Toole, Tunby, Wallin, Zook, Mr. Speaker.
Total 64

Noes: Barnhart, Beck, Bergsagel, Boharski, D. Brown, Cobb, Connelly, J. DeBruycker, Driscoll, Fagg, Feland, Foster, Gervais, Gilbert, Gould, Grinde, H. S. Hanson, Hoffman, Kasten, Larson, Mercer, Nisbet, Phillips, Schye, Scott, Southworth, Strizich, Swysgood, Thoft, Thomas, Wanzenried, Whalen, Wyatt.
Total 33

Excused: Ellison, Grady.
Total 2

Absent or not voting: Lee.
Total 1

SB 427 concurred in as follows:

Ayes: Bachini, Bardanouve, Becker, Benedict, Bergsagel, Bradley, D. Brown, J. Brown, Clark, Cobb, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, Kadas, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, Menahan, Mercer, Messmore, L. Nelson, Nisbet, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Strizich, Swysgood, Thoft, Thomas, Toole, Whalen, Wyatt, Zook.
Total 69

Noes: Barnett, Barnhart, Beck, Boharski, Brooke, Cocchiarella, Cromley, Dowell, Fagg, Foster, Hayne, J. Johnson, R. Johnson, Keller, Measure, T. Nelson, O'Keefe, Pavlovich, Peck, J. Rice, Russell, Stickney, Tunby, Wallin, Wanzenried, Mr. Speaker.
Total 26

Excused: Ellison, Grady.
Total 2

Absent or not voting: Kasten, Lee, McCulloch.
Total 3

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Mr. Speaker introduced this week's pages:

Amberly Half, Hardin
Sean Corrigan, Anaconda
Kiely Keane, Butte
Elizabeth Nelson, Anaconda
Jennifer Pohl, Bozeman
Erik Schock, Billings
Kaye Smelser, Power
Sarah Smith, Havre
Lisa Villa, Anaconda
Kate Schalk, Polson, Page to Minority Office

Representative Driscoll moved the House adjourn until 11:00 a.m., Tuesday, April 16, 1991. Motion carried.

House adjourned at 4:55 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

EIGHTY-FIRST LEGISLATIVE DAY

Helena, Montana
April 16, 1991

House Chambers
State Capitol

House convened at 11:00 a.m. Mr. Speaker in the Chair. Invocation by Mr. Grant Hiesterman. Pledge of Allegiance to the Flag.

Roll call. All members present except Elliott, O'Keefe, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the seventy-fourth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/16/91

Correctly printed: HJR 51.

Correctly engrossed: HJR 48, HJR 50, SB 94, SB 226, SB 275, SB 318, SB 359, SB 390, SB 461.

Correctly enrolled: HB 74, HB 544, HB 943, HJR 9, HJR 13, HJR 35, HJR 39, HJR 40.

Examined by the sponsor and found to be correct:

HB 29 - Kimberley
HB 74 - Strizich
HB 192 - Wanzenried
HB 271 - Driscoll
HB 336 - Simpkins
HB 360 - Harper
HB 419 - Mercer
HB 431 - Schye
HB 446 - T. Nelson
HB 497 - Darko
HB 534 - Spring
HB 538 - Bradley
HB 544 - Gould
HB 549 - Grady
HB 556 - Ream
HB 557 - Ream
HB 924 - Measure
HB 943 - Davis
HJR 9 - Russell
HJR 13 - Connelly
HJR 35 - McCarthy
HJR 36 - Toole
HJR 39 - Daily
HJR 40 - S. Rice

Signed by the Speaker at 8:30 a.m., 4/16/91: HB 29, HB 159, HB 162, HB 192, HB 195, HB 261, HB 271, HB 328, HB 336, HB 360, HB 419, HB 431, HB 446, HB 538, HB 557, HB 668, HB 767, HB 847, HB 882, HB 909, HB 924, HB 947, HB 948, HJR 36.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/15/91

HB 145, introduced by Grady
HB 234, introduced by Pavlovich
HB 371, introduced by Menahan
HB 414, introduced by Cohen
HB 560, introduced by Stang
HB 746, introduced by Russell
HB 760, introduced by Kimberley
HB 830, introduced by Phillips
HB 940, introduced by Wanzenried
HB 964, introduced by O'Keefe
HB 978, introduced by Phillips
HB 999, introduced by Peck
HB 1010, introduced by D. Brown

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/15/91

HB 20, introduced by Pavlovich
HB 30, introduced by Peck
HB 103, introduced by Russell
HB 125, introduced by Gervais
HB 179, introduced by Phillips
HB 365, introduced by Swysgood
HB 454, introduced by Cobb
HB 477, introduced by Kadas
HB 489, introduced by O'Keefe
HB 528, introduced by Brooke
HB 569, introduced by J. Rice
HB 595, introduced by Strizich
HB 684, introduced by Driscoll
HB 696, introduced by J. Rice
HB 704, introduced by Wanzenried
HB 731, introduced by Ream
HB 934, introduced by Thomas
HB 977, introduced by Bradley
HB 990, introduced by S. Rice
HB 1008, introduced by Bardanouve

HB 5, introduced by Bardanouve, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate as amended, however, the bonding provision did not receive the required affirmative roll call vote of two-thirds of all the members of the legislature, and was transmitted on 4/15/91 to the House with the following vote:

YEAS - 27
NAYS - 23

HB 7, introduced by Connelly, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate as amended and was transmitted on 4/15/91 to the House with the following vote:

YEAS - 46
NAYS - 2

HB 963, introduced by Bardanouve, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate as amended and was transmitted on 4/15/91 to the House with the following vote:

YEAS - 46
NAYS - 2

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 15, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 301, 487, 543, 547, 563, 570, 591, 594, 638, 659, 690, 814, 875, 893 and 899 on April 15, 1991.

Sincerely,

STAN STEPHENS
Governor

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 43 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Bergsagel, Ellison, Gilbert, M. Hanson, Knox, Peck.
Total 6

Voted Absentee: O'Keefe, Aye.

Excused: Elliott.
Total 1

Absent or not voting: None.
Total 0

HB 8, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Daily, Gilbert, Pavlovich, Peck, Raney.
Total 5

Voted Absentee: O'Keefe, Aye.

Excused: Elliott.
Total 1

Absent or not voting: None.
Total 0

HB 299, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler,

Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Benedict, Bergsagel, Cobb, R. DeBruycker, Feland, Peck, Phillips, Swysgood, Thoft, Thomas.
Total 10

Voted Absentee: O'Keefe, Aye.

Excused: Elliott.
Total 1

Absent or not voting: None.
Total 0

HB 508, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Galvin, Gervais, Gould, Grady, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Barnett, Bergsagel, Daily, R. DeBruycker, Ellison, Foster, Gilbert, Grinde, S. J. Hansen, H. S. Hanson, Lee, Thoft.
Total 12

Voted Absentee: O'Keefe, Aye.

Excused: Elliott.
Total 1

Absent or not voting: Phillips.
Total 1

HB 804, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Menahan, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth,

Squires, Stang, Steppler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 63

Noes: Barnett, Benedict, Clark, Cobb, Cromley, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Measure, Mercer, Messmore, Peck, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 36

Voted Absentee: O'Keefe, Aye.

Excused: Elliott.
Total 1

Absent or not voting: None.
Total 0

HB 927, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 65

Noes: Barnett, Benedict, Boharski, Clark, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, T. Nelson, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 34

Voted Absentee: O'Keefe, Aye.

Excused: Elliott.
Total 1

Absent or not voting: None.
Total 0

HB 937, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J.

Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Benedict, Boharski, Clark, Cobb, R. DeBruycker, Peterson, Spring, Thoft.
Total 8

Voted Absentee: O'Keefe, Aye.

Excused: Elliott.
Total 1

Absent or not voting: Barnett, D. Brown, J. DeBruycker.
Total 3

HB 982, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Fagg, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Whalen, Wyatt, Mr. Speaker.
Total 59

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Connelly, R. DeBruycker, Ellis, Ellison, Feland, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, Peterson, Phillips, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 37

Voted Absentee: O'Keefe, Aye.

Excused: Elliott.
Total 1

Absent or not voting: Cromley, Russell, Wanzenried.
Total 3

SB 94 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly,

Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 79

Noes: Barnett, Benedict, Boharski, Cobb, J. DeBruycker, Feland, Gould, Grinde, Hoffman, R. Johnson, Kasten, Knox, Lee, L. Nelson, Peterson, Simpkins, Steppler, Swysgood, Thoft, Thomas.
Total 20

Voted Absentee: O'Keefe, Aye.

Excused: Elliott.
Total 1

Absent or not voting: None.
Total 0

SB 226 concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Foster, Gervais, Grady, Grinde, M. Hanson, Hayne, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, Measure, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Peck, Peterson, Ream, J. Rice, Russell, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Mr. Speaker.
Total 59

Noes: Bachini, Barnett, Benedict, Boharski, D. Brown, Cobb, Cody, Cohen, Connelly, Cromley, Daily, Davis, Fagg, Feland, Forrester, Galvin, Gilbert, Gould, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, Kasten, Keller, Lee, McCulloch, Menahan, T. Nelson, Pavlovich, Phillips, Quilici, Raney, S. Rice, Schye, Simpkins, Swysgood, Wanzenried, Wyatt, Zook.
Total 39

Voted Absentee: O'Keefe, Aye.

Excused: Elliott.
Total 1

Absent or not voting: J. Johnson.
Total 1

SB 275 concurred in as follows:

Ayes: Bachini, Barnett, Beck, Benedict, Bergsagel, Boharski, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Daily, Darko, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kimberley, Knox, Larson, Lee, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Simpkins, Spring, Stang, Steppler, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Zook.
Total 65

Noes: Bardanouve, Barnhart, Becker, Bradley, Brooke, Cohen, Connelly, Cromley, Davis, J. DeBruycker, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Madison, McCaffree, Measure, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Ream, Schye, Scott, Southworth, Squires, Stickney, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 34

Voted Absentee: O'Keefe, No.

Excused: Elliott.
Total 1

Absent or not voting: None.
Total 0

SB 318 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Whalen, Wyatt, Zook.
Total 80

Noes: Barnett, Bergsagel, Davis, R. DeBruycker, Feland, Forrester, Grinde, Kasten, Knox, Lee, McCulloch, Measure, Pavlovich, Southworth, Swysgood, Thoft, Thomas, Wanzenried, Mr. Speaker.
Total 19

Voted Absentee: O'Keefe, Aye.

Excused: Elliott.
Total 1

Absent or not voting: None.
Total 0

SB 359 concurred in as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Simpkins, Spring, Squires, Steppler, Stickney, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 79

Noes: Bachini, Bardanouve, Boharski, Brooke, Driscoll, S. J. Hansen, Harrington, Kadas, Kilpatrick, McCulloch, Measure, Nisbet, Pavlovich, Peck, Ream, Scott, Southworth, Stang, Strizich, Thoft.
Total 20

Voted Absentee: O'Keefe, Aye.

Excused: Elliott.
Total 1

Absent or not voting: None.
Total 0

SB 390 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: McCaffree, Measure, Pavlovich.
Total 3

Voted Absentee: O'Keefe, Aye.

Excused: Elliott.
Total 1

Absent or not voting: Ream.
Total 1

SB 461 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Whalen, Wyatt, Mr. Speaker.
Total 55

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Connelly, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, Madison, McCaffree, Mercer, Messmore, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Zook.
Total 43

Voted Absentee: O'Keefe, Aye.

Excused: Elliott.
Total 1

Absent or not voting: Cromley.
Total 1

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Messmore in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 4 - Representative Bardanouve moved Senate amendments to HB 4 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye,

Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 85

Noes: Bachini, Bergsagel, Boharski, Cobb, R. DeBruycker, Ellison, Gilbert, Kasten, Lee, Peck, Peterson, Simpkins, Spring, Wyatt.
Total 14

Voted Absentee: O'Keefe, Aye.

Excused: Elliott.
Total 1

Absent or not voting: None.
Total 0

SB 412 - Representative Cohen moved consideration of SB 412 be placed below SB 436 on the second reading board. Motion carried.

SB 151 - Representative Harrington moved SB 151, third reading copy, be amended as follows (amendment #1):

1. Title, line 12.
Following: "QUARTER"
Insert: "AND PROVIDING AN EXEMPTION"

2. Page 7, line 18.
Following: "(1)"
Strike: "Each"
Insert: "Except as provided in subsection (5), each"

3. Page 8, line 13.
Following: line 12
Insert: "(5) An employer whose annual gross income is less than $110,000 is exempt from this section."

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Galvin, Gervais, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 70

Noes: Benedict, Bergsagel, Boharski, Cody, R. DeBruycker, Ellis, Ellison, Fagg, Forrester, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson,

Hayne, Kasten, Knox, Mercer, T. Nelson, Peterson, Phillips, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 29

Excused: None.
Total 0

Absent or not voting: Feland.
Total 1

Representative Harrington moved SB 151, as amended, be concurred in.

Representative Grinde moved to call for cloture. Motion carried.

Thereupon, SB 151, as amended, was not concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Bradley, Brooke, D. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Dolezal, Dowell, Driscoll, Galvin, Gervais, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Quilici, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Thomas, Toole, Whalen, Wyatt, Mr. Speaker.
Total 48

Noes: Bachini, Barnett, Becker, Benedict, Bergsagel, Boharski, J. Brown, Clark, Cromley, Davis, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Raney, J. Rice, Simpkins, Spring, Stang, Steppler, Swysgood, Thoft, Tunby, Wallin, Wanzenried, Zook.
Total 52

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 415 - Representative Darko moved SB 415 be concurred in.

Representative Gilbert made a substitute motion consideration of SB 415 be placed at the bottom of the second reading board. Motion carried.

SB 416 - Representative H.S. Hanson moved SB 416 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Beck, Becker, Benedict, Bergsagel, Bradley, D. Brown, Clark, Cobb, Cohen, Cromley, Daily, Darko, R. DeBruycker, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison,

McCaffree, McCarthy, Menahan, Mercer, Messmore, T. Nelson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Simpkins, Southworth, Spring, Stang, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook.
Total 69

Noes: Barnhart, Boharski, Brooke, J. Brown, Cocchiarella, Cody, Connelly, Davis, J. DeBruycker, Dolezal, Driscoll, Galvin, Gervais, S. J. Hansen, Larson, McCulloch, Measure, L. Nelson, Nisbet, O'Keefe, Peck, Russell, Scott, Squires, Steppler, Stickney, Whalen, Wyatt, Mr. Speaker.
Total 29

Excused: None.
Total 0

Absent or not voting: Bardanouve, Hayne.
Total 2

Representative Driscoll moved the committee rise and recess until 2:00 p.m. Motion carried.

House recessed at 1:00 p.m.

House reconvened at 2:00 p.m. Representative Messmore in the Chair.

SB 435 - Representative Kadas moved SB 435 be concurred in.

Representative McCarthy made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative McCarthy moved SB 435, third reading copy, be amended as follows (amendment #1):

1. Title, line 8.
Strike: "PRIMARY"
Insert: "GENERAL"
Strike: "JUNE"
Insert: "NOVEMBER"

2. Page 3, line 12.
Strike: "primary"
Insert: "general"

3. Page 3, line 13.
Strike: "June"
Insert: "November"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cody, Cohen, Connelly, Cromley, Daily, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould,

Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 86

Noes: D. Brown, Cocchiarella, Darko, Davis, R. DeBruycker, Driscoll, M. Hanson, Measure, Peck, Raney, Spring.
Total 11

Excused: Mr. Speaker.
Total 1

Absent or not voting: Kadas, Scott.
Total 2

Thereupon, SB 435, as amended, was concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 57

Noes: Barnett, Benedict, Bergsagel, Boharski, Bradley, Clark, Cobb, Connelly, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 43

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 436 - Representative Thomas moved SB 436, third reading copy, be amended as follows (amendment #1):

1. Amend House Taxation Committee Standing Committee Report, Dated April 15, 1991, (Corrected Version, Lavender Copy):

Amendment No. 13, in (e):

Strike: ", together with all improvements, including any trailer or mobile home used as a residence"

Amendment #1 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 92

Noes: Bachini, Cobb, Gilbert, Peck, Whalen, Wyatt.
Total 6

Excused: None.
Total 0

Absent or not voting: Boharski, Kadas.
Total 2

Representative Gilbert moved SB 436, third reading copy, be further amended as follows (amendment #2):

1. Amend House Taxation Committee Standing Committee Report Dated April 15, 1991, (Corrected Version, Lavender Copy):

Amendment No. 1:
Strike: "PROVIDING THAT RURAL RESIDENTIAL PROPERTY BETWEEN 20 AND 40 ACRES IN SIZE BE TAXED AT ONE-HALF THE RATE OF CLASS FOUR PROPERTY;"

Amendment No. 4:
Strike: amendment No. 4 in its entirety

Amendment No. 5:
Strike: "Following: "15-6-141,"
Insert: "15-6-143,"

Amendment No. 6, in last insert:
Strike: "15-7-202,"

Amendment No. 13:
Strike: subsection (e) in its entirety
Renumber subsequent subsection

Amendment No. 15:
Strike: amendment No. 15 in its entirety

Amendment No. 17:
Strike: amendment No. 17 in its entirety
Renumber: subsequent sections

Amendment No. 18, incorporating section 11:
Strike: section 11 amending section 15-7-202 from the amendment.
Renumber: subsequent sections

Amendment No. 25:
Strike: "17(2)"
Insert: "15(2)"

Representative Elliott moved to call for cloture. Motion carried.

Thereupon, amendment #2 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Bradley, D. Brown, Cobb, Cocchiarella, Connelly, Cromley, Daily, Davis, J. DeBruycker, Dolezal, Driscoll, Elliott, Ellison, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Pavlovich, Peterson, Phillips, Ream, J. Rice, Russell, Scott, Simpkins, Squires, Stang, Stickney, Swysgood, Thoft, Tunby, Wallin, Whalen, Wyatt, Zook.
Total 62

Noes: Bardanouve, Becker, Brooke, J. Brown, Clark, Cody, Cohen, Darko, Dowell, Ellis, Fagg, Gervais, Grady, S. J. Hansen, Harrington, Hoffman, Madison, McCaffree, McCarthy, McCulloch, Measure, Nisbet, O'Keefe, Peck, Quilici, Raney, S. Rice, Schye, Southworth, Spring, Steppler, Strizich, Thomas, Toole, Wanzenried, Mr. Speaker.
Total 36

Excused: None.
Total 0

Absent or not voting: R. DeBruycker, Kadas.
Total 2

Representative Dowell moved SB 436, third reading copy, be further amended as follows (amendment #3):

1. Amend House Taxation Committee Standing Committee Report Dated April 15, 1991, (Corrected Version, Lavender Copy):

Amendment No. 23:
Following: "15-6-134" in the inserted instruction
Insert: "and [section 15]"

And that Senate Bill No. 436 be further amended as follows:

1. Title, line 17.
Following: "PROCEEDS;"
Insert: "PROVIDING A $50 REDUCTION IN PROPERTY TAXES FOR OWNER-OCCUPIED, SINGLE-FAMILY RESIDENCES; REQUIRING THE DEPARTMENT OF REVENUE TO PROVIDE NOTICE OF THE REDUCTION; PROVIDING AN APPROPRIATION FOR REIMBURSEMENT OF LOSS OF TAX REVENUE BY LOCAL GOVERNMENTS, SCHOOL DISTRICTS, AND OTHER TAXING JURISDICTIONS;"

2. Page 23.
Following: line 7
Insert: "NEW SECTION. Section 17. Reduction in residential property taxes -- notice to taxpayers -- appropriation. (1) The property taxes on qualifying owner-occupied, single-family residences are reduced by $50. A taxpayer is entitled to the tax reduction if by August 15, 1991, for tax year 1991, or if by April 15 of the tax year in succeeding years, the taxpayer successfully applies for a reduction on a form provided by the department of revenue, stating:

(a) that the taxpayer maintains the property as his primary dwelling for at least 10 months a year; and

(b) other information determined by the department as relevant to the applicant's eligibility.

(2) (a) The department shall notify all owners of class four property that if they own a owner-occupied, single-family residence, they may be entitled to a reduction in property taxes on the property. For the tax year 1991, the notice must be mailed not later than August 1, 1991, and may be included with any other mailing conducted by the department or its agents. The notice must contain:

(i) a provision that states that the 52nd legislature enacted a provision that reduces the property taxes on owner-occupied, single-family residences;

(ii) an explanation of the reduction and relevant information necessary for the taxpayer to determine whether his property may qualify;

(iii) a copy of the form necessary to apply for the reduction; and

(iv) a phone number that the person may call to receive further information.

(b) Beginning in tax year 1991 and for each succeeding year, the department shall cause the notice and forms to be included with the notice of property taxes due.

(3) The tax notice sent to qualifying taxpayers under 15-16-101 must include the property tax reduction.

(4) The department shall pay to the county treasurer the amount of money equal to the total tax reductions on property within the county. The county treasurer shall distribute the money to all entities and accounts in the county and state government that receive property tax revenue, including but not limited to

statewide educational levies, cities, towns, counties, school districts, special districts, authorities, and special bonding districts. The treasurer shall distribute the money in the same manner as revenue from property tax levies was distributed.

(5) There is appropriated from the general fund to the department for the biennium ending June 30, 1993, the amount necessary to reimburse taxing jurisdictions for tax revenue lost by granting property tax reductions to taxpayers with owner-occupied, single-family residences.

NEW SECTION. Section 18. Codification instruction. [Section 15] is intended to be codified as an integral part of Title 15, chapter 16, and the provisions of Title 15, chapter 16, apply to [section 15]."

Renumber: subsequent sections

3. Page 23.
Following: line 20
Insert: "(3) If Senate Bill No. 461 is not passed and approved, then the following provisions of [this act] are void:

(a) the section amending 15-6-201;

(b) all of the amendments in the section amending 15-1-111 except the deletion of the references to "and 15-6-147" in 15-1-111(1)(a) and (3); and

(c) [sections 15 and 16]."

Amendment #3 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grinde, S. J. Hansen, Harrington, Hayne, J. Johnson, Kasten, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 78

Noes: Barnett, Benedict, Bergsagel, Bradley, R. DeBruycker, Ellison, Gilbert, Grady, H. S. Hanson, M. Hanson, Hoffman, R. Johnson, Kadas, Keller, Knox, Lee, T. Nelson, Simpkins, Spring, Wallin, Zook.
Total 21

Excused: None.
Total 0

Absent or not voting: Tunby.
Total 1

Representative Cohen moved SB 436, as amended, be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, S. J. Hansen, Harrington, Hayne, J. Johnson, Kasten, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: Barnett, Benedict, Bergsagel, R. DeBruycker, Ellis, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hoffman, R. Johnson, Keller, Knox, Lee, Phillips, Simpkins.
Total 17

Excused: None.
Total 0

Absent or not voting: Kadas, T. Nelson.
Total 2

SB 412 - Representative Driscoll moved SB 412 be concurred in.

Representative S. Rice made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative S. Rice moved SB 412, third reading copy, be amended (amendment #1). Amendment #1 failed as follows: (20-79)

Representative Wyatt moved SB 412, third reading copy, be amended (amendment #2). Amendment #2 failed as follows: (20-78)

Representative Galvin moved SB 412, third reading copy, be amended as follows (amendment #3):

1. Title, line 15.
Following: "REVIEW;"
Insert: "TO REQUIRE THE DEPARTMENT OF REVENUE TO HOLD A PUBLIC HEARING IF THE PERCENTAGE ADJUSTMENT IS GREATER THAN 10 PERCENT; TO REQUIRE THE COUNTY ASSESSOR TO PROVIDE ADDITIONAL INFORMATION IF VALUATION OF PROPERTY INCREASES AS A RESULT OF THE SALES ASSESSMENT RATIO STUDY; TO REQUIRE THE BOARD OF COUNTY COMMISSIONERS TO APPOINT AN ADVISORY BOARD;"

2. Page 2, line 15.
Following: "(2)"
Insert: "(a)"

3. Page 2, line 23.
Following: line 22
Insert: "(b) If the valuation of the property described in subsection (1) increased from the prior tax year, the notice must include the following information:

(i) the valuation of the property in the prior tax year; and

(ii) a statement showing the amount of taxes that would be due on the property in the current tax year if the property were subject to the same mill levies imposed in the prior tax year."

4. Page 6, line 25.
Following: "revaluations"
Insert: "-- public hearing"

5. Page 12, line 7.
Following: line 6
Insert: "(9) If the results of the stratified sales assessment ratio study required under this section show an increase in the percentage adjustment in excess of 10% in an area designation, the department shall conduct a public hearing in that area designation to present information showing the reasons for the increase."

6. Page 35, line 21.
Following: line 20
Insert: "NEW SECTION. Section 11. Sales assessment advisory board -- duties. (1) The board of county commissioners of each county shall appoint a seven-member sales assessment advisory board. The members of the board must be residents of the county in which they serve. The members of the board must be appointed as follows:

(a) two members who are certified appraisers;

(b) two members who are realtors; and

(c) three members who are from the general public.

(2) The term of membership is 3 years.

(3) The advisory board shall meet from time to time to review the department of revenue's determination of area designations, stratum, and percentage adjustments within the county and to recommend to the department changes the board considers necessary regarding the determination of area designations."
Renumber: subsequent sections

Amendment #3 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Harrington, J. Johnson, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott,

Simpkins, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 72

Noes: Bergsagel, Brooke, Clark, Cody, Cohen, Connelly, R. DeBruycker, Elliott, Ellison, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Measure, Southworth, Steppler, Thomas.
Total 25

Excused: None.
Total 0

Absent or not voting: Bardanouve, J. DeBruycker, Kadas.
Total 3

Representative Dolezal moved SB 412, third reading copy, be further amended (amendment #4). Amendment #4 failed as follows: (28-71)

Representative Cohen moved SB 412, third reading copy, be further amended (amendment #5). Amendment #5 failed as follows: (35-65)

Thereupon, SB 412, as amended, was concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, L. Nelson, T. Nelson, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Whalen, Zook.
Total 75

Noes: Bachini, Barnett, Boharski, Cobb, Cohen, Dolezal, Dowell, Foster, Galvin, Gervais, Lee, Measure, Messmore, Nisbet, O'Keefe, Phillips, S. Rice, Simpkins, Spring, Strizich, Tunby, Wallin, Wanzenried, Wyatt, Mr. Speaker.
Total 25

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 438 - Representative Harrington moved SB 438 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J.

DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: R. DeBruycker.
Total 1

Excused: None.
Total 0

Absent or not voting: Elliott, S. Rice.
Total 2

SB 445 - Representative McCarthy moved SB 445 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 454 - Representative Dolezal moved SB 454, third reading copy, be amended (amendment #1). Amendment #1 failed as follows: (44-50)

Representative Dolezal moved SB 454 be concurred in. Motion failed as follows:

Ayes: Bardanouve, Beck, Bradley, D. Brown, J. Brown, Cocchiarella, Cromley, Daily, Darko, J. DeBruycker, Dolezal, Driscoll, Fagg, Forrester, Gervais, S. J. Hansen, J. Johnson, Kadas, Kimberley, Larson, Madison, McCaffree, McCulloch, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Ream, S. Rice, Russell, Schye, Scott, Southworth, Strizich, Toole, Whalen, Mr. Speaker.
Total 38

Noes: Bachini, Barnett, Barnhart, Becker, Bergsagel, Boharski, Brooke, Clark, Cobb, Cody, Cohen, Connelly, Davis, R. DeBruycker, Dowell, Elliott, Ellis, Ellison, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kilpatrick, Knox, Lee, McCarthy, Measure, Menahan, Mercer, Messmore, T. Nelson, Peck, Peterson, Phillips, Raney, J. Rice, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Wyatt, Zook.
Total 60

Excused: None.
Total 0

Absent or not voting: Benedict, Galvin.
Total 2

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Messmore moved the adoption of the committee report. Report adopted. (73-26)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/16/91
Correctly enrolled: HB 300, HB 620, HB 629, HB 665, HB 677, HB 678, HB 705, HB 761, HB 773, HB 846, HB 856, HB 860, HB 870, HB 888, HB 891, HB 894, HB 908, HB 917, HB 966.
Examined by the sponsor and found to be correct:
HB 300 - O'Keefe
HB 620 - Squires
HB 629 - McCulloch
HB 665 - Barnhart
HB 677 - Benedict
HB 678 - Stang
HB 705 - Galvin
HB 761 - Peck
HB 773 - Stickney
HB 846 - Menahan
HB 856 - Foster
HB 860 - Dowell
HB 870 - R. Johnson
HB 888 - L. Nelson
HB 891 - Stickney
HB 894 - Kimberley
HB 908 - Harper

HB 917 - Toole
HB 966 - Steppler

Delivered to the Governor for his approval at 4:00 p.m., 4/16/91: HB 29, HB 37, HB 152, HB 159, HB 162, HB 187, HB 192, HB 195, HB 252, HB 261, HB 271, HB 328, HB 336, HB 360, HB 405, HB 417, HB 418, HB 419, HB 431, HB 446, HB 472, HB 538, HB 557, HB 576, HB 580, HB 618, HB 668, HB 739, HB 767, HB 776, HB 847, HB 882, HB 909, HB 924, HB 947, HB 948.

Delivered to the Secretary of State at 4:07 p.m., 4/16/91: HJR 36

JUDICIARY (Strizich, Chairman): 4/16/91

HJR 52, introduced bill, be amended as follows:

1. Title, line 6.
Following: "ADMINISTRATION,"
Insert: "JUDICIAL DISTRICTS,"

2. Page 1, line 19.
Strike: "often"
Insert: "have jurisdiction to"

3. Page 1, line 20.
Following: line 19
Insert: "certain"

4. Page 1, line 20.
Strike: "necessarily increases"
Insert: "may have the potential to increase"

5. Page 2, line 24.
Strike: "is hesitant"
Insert: "finds it inappropriate"

6. Page 3, line 19.
Strike: "and"

7. Page 3.
Following: line 19
Insert: "(6) ways to realign judicial districts after the committee analyzes population demographics, population trends, exiting and projected District Court caseloads, and the travel distances within districts; and"

8. Page 3, line 20.
Strike: "(6)"
Insert: "(7)"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper April 16, 1991
Speaker of the House

State Capitol
Helena, Montana 59620

Dear Speaker Harper:

Please be informed that I have signed House Bills 667, 785 and 849 on April 16, 1991.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 16, 1991

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 539, "AN ACT TO GENERALLY REVISE THE STATE COMPREHENSIVE ENVIRONMENTAL CLEANUP AND RESPONSIBILITY ACT; ~~REQUIRING APPROVAL OF A CONSENT DECREE BY THE LOCAL GOVERNING BODY;~~ CLARIFYING THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES MAY TAKE REMEDIAL ACTION AT A SITE THAT IS SUBJECT TO THE FEDERAL COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT OF 1980; PROVIDING FOR ~~PERFORMANCE BONDS~~ FINANCIAL ASSURANCE TO ENSURE COMPLIANCE WITH AGREEMENTS AND TO PROVIDE FOR LONG-TERM MAINTENANCE OF REMEDIAL ACTION SITES; REQUIRING A RESPONSE TO WRITTEN COMMENTS OR COMMENTS RECEIVED AT A PUBLIC MEETING OR HEARING ON A PROPOSED WORKPLAN, ORDER, OR DECREE; ~~CLARIFYING THAT ADMINISTRATIVE COSTS MUST BE RECOVERED WHEN POSSIBLE; AND~~ AMENDING SECTIONS 75-10-704, 75-10-711, 75-10-713, ~~75-10-714,~~ 75-10-719, AND 75-10-721, ~~AND 75-10-723,~~ MCA; AND PROVIDING A RETROACTIVE APPLICABILITY DATE."

House Bill 539 contains provisions concerning public participation in the cleanup of Superfund sites that have the unintended effect of preventing the Department of Health and Environmental Sciences and Montana citizens from being heard on federal Superfund projects administered by the U.S. Environmental Protection Agency (EPA). Unfortunately, amending the State's "mini-Superfund" law (a State program for State sites) will not improve the federal Superfund process at federal sites.

The problem meant to be addressed in this legislation was that the federal public participation process often limits public input until after all decisions have been made. Section 3 of House Bill 539 would have required the Department of Health and Environmental Sciences to implement procedures that were often not complete until after the EPA comment period closed (i.e., public notice and comment on all preliminary workplans). House Bill 539 did nothing to make the EPA more responsive, rather, it ironically jeopardized the Department of Health and Environmental Sciences from becoming meaningfully involved and providing comments on EPA documents because of the added procedural requirements.

My proposed amendments to Section 3 returns the law to its original language concerning public and state interaction with the federal government. However, these amendments also expand public participation in decision making for state cleanup projects by 1) requiring the Department of Health and Environmental Sciences to notify local governments of proposed remedial actions, 2) adding "remedial actions" to those Department activities that must be published in newspapers, 3) requiring the Department to hold public meetings when requested by local governments and 4) requiring the Department to place its response summary in the administrative record.

These actions enhance the public involvement process for state sites which is consistent with the legislature's intent. At the same time, these amendments remove the obstacles that would have prevented the Department of Health and Environmental Sciences from fully participating in the federal process. The remaining sections of House Bill 539 remain intact.

I am hopeful the federal government will follow our lead in providing early and meaningful public input for federal Superfund sites along the Upper Clark Fork River Basin.

I urge your concurrence in these amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 539
(REFERENCE COPY, AS AMENDED)
April 16, 1991

1. Title, line 15.
Following: line 14
Strike: "OR HEARING"
Following: "PROPOSED"
Strike: "WORKPLAN,"
Following: "ORDER"
Strike: ","

2. Page 8, line 8.
Following: "notice of"
Strike: "WORKPLAN,"
Insert: "remedial action,"

3. Page 8, line 9.
Following: "decree --"
Strike: "written"

4. Page 8, line 10.
Following: line 9
Strike: "hearing --"
Following: "(1)"
Insert: "(a)"

5. Page 8, line 11.
Following: "by"
Insert: "final approval by"
Following: "of"
Insert: "of"

6. Page 8, lines 12 and 13.
Following: line 11
Strike: "SUBMITS COMMENTS TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY ON A PROPOSED WORKPLAN OR APPROVES"

7. Page 8, line 17.
Strike: "(a)"
Insert: "(i)"
Renumber: subsequent subsections

8. Page 8, line 18.
Following: "proposed"
Strike: "WORKPLAN,"
Following: "order"
Strike: "."

9. Page 8, lines 21 through 25.
Strike: subsection (B) in its entirety
Renumber: subsequent sections

10. Page 9, line 4.
Following: "proposed"
Strike: "WORKPLAN,"
Following: "order"
Strike: "."

11. Page 9, line 6.
Following: "person),"
Strike: ", AND"

12. Page 9, line 11.

Following: "proposed"
Strike: "WORKPLAN,"
Following: "order"
Strike: ","
Following: "~~and~~"
Insert: "and"

13. Page 9, lines 12 through 15.
Strike: subsection (D) in its entirety
Renumber: subsequent section

14. Page 9, line 18.
Following: "MEETING"
Strike: "OR hearing"
Following: "~~; and~~"
Insert: "; and

(b) The administrative record supporting the department's approved order or decree must contain the department's response summary prepared pursuant to subsection (1)(a)(iii)."

15. Page 9, line 21.
Following: "(2)"
Strike: "Upon"
Insert: "Except as provided in 75-10-712, upon"

16. Page 9, line 22.
Following: line 21
Strike: "WORKPLAN,"
Insert: "remedial action,"

17. Page 9, line 24.
Strike: "DEPARTMENT'S COMMENTS ON THE WORKPLAN OR"
Insert: "final decision on"

18. Page 10, lines 5 through 9.
Following: "~~reasons.~~"
Strike: "THE ADMINISTRATIVE RECORD SUPPORTING THE DEPARTMENT'S COMMENTS ON THE WORKPLAN OR THE APPROVED ORDER OR DECREE MUST CONTAIN THE DEPARTMENT'S RESPONSE SUMMARY PREPARED PURSUANT TO SUBSECTION (1)(E)."

19. Page 10.
Following: line 9
Insert: "(3) Except as provided in 75-10-712, the department shall: (a) notify the county commissioners and governing bodies of cities, towns, and consolidated local governments impacted by a proposed remedial action; and

(b) at the request of the county commissioners or the governing body of a city or town or of a consolidated local government impacted by a remedial action, conduct a public meeting."

MOTIONS

Representative Driscoll moved the rules be suspended to allow all remaining Senate bills on second reading this date to be considered on second and third reading the 82nd legislative day. Motion carried.

Representative Whalen moved the rules be suspended to permit the late drafting of a bill. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HJR 53, introduced by Stang, Harrington, Ream, Thomas, Ellison, Elliott, T. Nelson, O'Keefe, Schye, Dolezal, M. Hanson, McCarthy, Hoffman, Fagg, Raney (by request of the House Committee on Taxation), referred to Committee on Taxation

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 10:00 a.m., Wednesday, April 17, 1991. Motion carried.

House adjourned at 5:45 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

EIGHTY-SECOND LEGISLATIVE DAY

Helena, Montana
April 17, 1991

House Chambers
State Capitol

House convened at 10:00 a.m. Mr. Speaker in the Chair. Invocation by Reverend Ken Moore. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the seventy-fifth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/17/91
Correctly printed: HJR 52.
Correctly engrossed: SB 412, SB 416, SB 435, SB 436, SB 438, SB 445.
Correctly enrolled: HB 233, HB 272, HB 335, HB 441, HB 631, HB 643, HB 645, HB 660, HB 711, HB 715, HB 782, HB 857, HB 901, HB 930.
Examined by the sponsor and found to be correct:
HB 233 - Bardanouve
HB 272 - Bradley
HB 335 - J. Johnson
HB 441 - Pavlovich
HB 631 - McCulloch
HB 643 - Squires
HB 645 - L. Nelson
HB 660 - Cohen
HB 711 - Connelly
HB 715 - Peck
HB 782 - Hansen
HB 857 - O'Keefe
HB 901 - Bardanouve
HB 930 - Whalen
Signed by the Speaker at 8:00 a.m., 4/17/91: HB 59, HB 74, HB 300, HB 497, HB 534, HB 544, HB 549, HB 556, HB 620, HB 629, HB 665, HB 677, HB 678, HB 705, HB 761, HB 773, HB 846, HB 856, HB 860, HB 870, HB 888, HB 891, HB 894, HB 908, HB 917, HB 943, HB 966, HJR 9, HJR 13, HJR 35, HJR 39, HJR 40.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/16/91

HB 285, introduced by Schye
HB 321, introduced by Ream
HB 340, introduced by Ream
HB 354, introduced by Schye
HB 386, introduced by Schye
HB 558, introduced by Ream
HB 579, introduced by Driscoll
HB 778, introduced by D. Brown
HB 793, introduced by M. Hanson

HB 883, introduced by R. DeBruycker
HB 904, introduced by Kasten
HB 923, introduced by Darko
HB 949, introduced by Tunby

The Senate, on 4/16/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 306.

President Mazurek appointed the following members:

Senator Stimatz, Chairman
Senator Rea
Senator Tveit

The Senate, on 4/16/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 511.

President Mazurek appointed the following members:

Senator Jacobson, Chairman
Senator Franklin
Senator Nathe

The Senate, on 4/16/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 518.

President Mazurek appointed the following members:

Senator Halligan, Chairman
Senator Doherty
Senator Thayer

The Senate, on 4/16/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 559.

President Mazurek appointed the following members:

Senator Pinsoneault, Chairman
Senator Yellowtail
Senator Grosfield

The Senate, on 4/16/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 568.

President Mazurek appointed the following members:

Senator Weeding, Chairman
Senator Bruski

Senator Farrell

The Senate, on 4/16/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 650.

President Mazurek appointed the following members:

Senator Jergeson, Chairman
Senator Eck
Senator Thayer

The Senate, on 4/16/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 672.

President Mazurek appointed the following members:

Senator Fritz, Chairman
Senator Franklin
Senator Brown

The Senate, on 4/16/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 698.

President Mazurek appointed the following members:

Senator Halligan, Chairman
Senator Waterman
Senator Harp

The Senate, on 4/16/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 747.

President Mazurek appointed the following members:

Senator Pinsoneault, Chairman
Senator Waterman
Senator Grosfield

The Senate, on 4/16/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 836.

President Mazurek appointed the following members:

Senator Lynch, Chairman
Senator Doherty
Senator Keating

The Senate, on 4/16/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 987.

President Mazurek appointed the following members:

Senator Lynch, Chairman
Senator Kennedy
Senator Thayer

The Senate, on 4/16/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 988.

President Mazurek appointed the following members:

Senator Lynch, Chairman
Senator Kennedy
Senator Thayer

The Senate, on 4/16/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 989.

President Mazurek appointed the following members:

Senator Eck, Chairman
Senator Waterman
Senator Harp

The Senate, on 4/16/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HJR 32.

President Mazurek appointed the following members:

Senator Eck, Chairman
Senator Yellowtail
Senator Gage

The Senate, on 4/13/91, failed to concur in House amendments to SB 37 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 37.

President Mazurek appointed the following members:

Senator Halligan, Chairman
Senator Yellowtail
Senator Gage

The Senate, on 4/9/91, failed to concur in House amendments to SB 51 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 51.

President Mazurek appointed the following members:

Senator Van Valkenburg, Chairman
Senator Pinsoneault
Senator Crippen

The Senate, on 4/9/91, failed to concur in House amendments to SB 189 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 189.

President Mazurek appointed the following members:

Senator Weeding, Chairman
Senator Rea
Senator Beck

The Senate, on 4/9/91, failed to concur in House amendments to SB 191 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 191.

President Mazurek appointed the following members:

Senator Weeding, Chairman
Senator Bruski
Senator Farrell

The Senate, on 4/9/91, failed to concur in House amendments to SB 199 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 199.

President Mazurek appointed the following members:

Senator Pinsoneault, Chairman
Senator Mazurek
Senator Brown

The Senate, on 4/9/91, failed to concur in House amendments to SB 273 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 273.

President Mazurek appointed the following members:

Senator Williams, Chairman
Senator Hockett
Senator Swift

The Senate, on 4/16/91, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 139.

President Mazurek appointed the following members:

Senator Eck, Chairman

Senator Yellowtail
Senator Harp

The Senate, on 4/16/91, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 240.

President Mazurek appointed the following members:

Senator Weeding, Chairman
Senator Kennedy
Senator Keating

The Senate, on 4/16/91, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 342.

President Mazurek appointed the following members:

Senator Doherty, Chairman
Senator Lynch
Senator Keating

The Senate, on 4/16/91, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 451.

President Mazurek appointed the following members:

Senator Svrcek, Chairman
Senator Doherty
Senator Grosfield

The Senate, on 4/16/91, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 494.

President Mazurek appointed the following members:

Senator Doherty, Chairman
Senator Svrcek
Senator Rye

The Senate, on 4/16/91, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 500.

President Mazurek appointed the following members:

Senator Blaylock, Chairman
Senator Fritz
Senator Gage

The Senate, on 4/16/91, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 551.

President Mazurek appointed the following members:

Senator Hockett, Chairman
Senator Stimatz
Senator Anderson

The Senate, on 4/16/91, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 719.

President Mazurek appointed the following members:

Senator Lynch, Chairman
Senator Vaughn
Senator Thayer

The Senate, on 4/16/91, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 730.

President Mazurek appointed the following members:

Senator Blaylock, Chairman
Senator Lynch
Senator Thayer

The Senate, on 4/16/91, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 763.

President Mazurek appointed the following members:

Senator Weeding, Chairman
Senator Rea
Senator Noble

The Senate, on 4/16/91, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 825.

President Mazurek appointed the following members:

Senator Yellowtail, Chairman
Senator Blaylock
Senator Rye

The Senate, on 4/16/91, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 833.

President Mazurek appointed the following members:

Senator Svrcek, Chairman
Senator Kennedy
Senator Brown

The Senate, on 4/16/91, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 913.

President Mazurek appointed the following members:

Senator Jergeson, Chairman
Senator Jacobson
Senator Nathe

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper April 16, 1991
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Harper:

Please be informed that I have signed House Bills 62, 133, 150, 176, 303, 325, 596, 613, 646, 877 and 953 on April 16, 1991.

Sincerely,

STAN STEPHENS
Governor

The Honorable Joseph P. Mazurek April 16, 1991
President of the Senate
State Capitol
Helena, Montana 59620

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

Dear President Mazurek and Speaker Harper:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to Senate Bill 229, "AN ACT RELATING TO THE STATE BUDGET PROCESS AND THE CONSTITUTIONAL SEPARATION OF POWERS AMONG THE SEPARATE BRANCHES OF STATE GOVERNMENT; PROVIDING THAT JUDICIAL BRANCH BUDGET PROPOSALS MUST BE SUBMITTED TO THE LEGISLATURE WITHOUT CHANGES BY THE GOVERNOR; AND AMENDING SECTION 17-7-122, MCA."

Section 9, Article VI, of the Montana Constitution requires the governor to submit to the legislature a budget for the ensuing fiscal period setting forth in detail for all operating funds, proposed expenditures and estimated revenues of the state.

Section 17-7-123, MCA, requires that the executive budget submitted to the legislature shall set forth a balanced financial plan for state government for each fiscal year of the ensuing biennium.

Senate Bill 229, in its present form, provides no control for proposed increases in expenditures in the judicial budget. However, the executive would be required to identify and locate revenue sources for the proposed increases to meet the expectation of 17-7-123, MCA, and the Montana Constitution. For example, the executive branch request for the judiciary for the 1993 biennium was $750,000 less than the judiciary requested.

The argument that the executive will still have an opportunity to comment and discuss the request without adjustment provides little leverage for planning and reasonable negotiations which is a vital part of the formulation of the executive budget.

This legislative assembly has transferred the administration of district courts to the judiciary. The impact on the next executive budget will be significant because the financial planning for a large segment of the judiciary will be determined outside of the executive purview.

My amendments would permit the judiciary to request above current level funding. Such request must be in the budget submitted by the governor. However, any increase above current level funding need not be included in the balanced financial plan pursuant to 17-7-123, MCA.

This reasonable compromise will allow the judiciary the opportunity to raise all issues in the budget directly to the legislature and be contained within the budget submitted by the governor. However, the executive would not have to pass judgment on the funding source above current level funding.

This compromise will recognize the distinct responsibilities of the three branches of government. It will provide a framework that will achieve the intent of the judiciary and preserve the delicate balance of power and responsibilities of the executive, legislative and judicial branches.

I urge your concurrence with these amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
SENATE BILL 229
(REFERENCE COPY, AS AMENDED)
April 16, 1991

1. Title, line 9.
Following: "LEGISLATURE"
Strike: "WITHOUT CHANGES BY THE GOVERNOR"

2. Page 1, line 20.
Following: "branch"
Strike: "and judicial branch"

3. Page 1, line 23.
Following: line 22
Insert: "(3) Judicial branch requests must be included in the budget submitted by the governor but expenditures above current level funding need not be part of the balanced financial plan pursuant to 17-7-123."

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 48 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 50 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady,

Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 99

Noes: Wyatt.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 4, Senate amendments, concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Zook, Mr. Speaker.
Total 83

Noes: Bachini, Barnett, Bergsagel, Boharski, Cobb, Cohen, Connelly, R. DeBruycker, Gilbert, Kasten, Lee, Measure, T. Nelson, Peck, Simpkins, Wanzenried, Wyatt.
Total 17

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 412 concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, J. DeBruycker, R. DeBruycker, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox,

Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, L. Nelson, T. Nelson, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Whalen, Zook.
Total 77

Noes: Bachini, Barnett, Boharski, Cobb, Cohen, Davis, Dolezal, Foster, Galvin, Gervais, Lee, Measure, Messmore, Nisbet, O'Keefe, Phillips, S. Rice, Strizich, Tunby, Wallin, Wanzenried, Wyatt, Mr. Speaker.
Total 23

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 416 concurred in as follows:

Ayes: Bardanouve, Barnett, Becker, Benedict, Bergsagel, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Daily, Darko, R. DeBruycker, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Menahan, Mercer, Messmore, T. Nelson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Simpkins, Southworth, Spring, Stang, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook.
Total 71

Noes: Bachini, Barnhart, Beck, Boharski, Brooke, Cody, Connelly, Cromley, Davis, J. DeBruycker, Dolezal, Galvin, Gervais, S. J. Hansen, Kadas, McCulloch, Measure, L. Nelson, Nisbet, O'Keefe, Peck, Russell, Scott, Squires, Steppler, Stickney, Whalen, Wyatt, Mr. Speaker.
Total 29

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 435 concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 54

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Bradley, Clark, Cobb, Cohen, Connelly, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 46

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 436 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Mr. Speaker.
Total 78

Noes: Barnett, Benedict, Bergsagel, R. DeBruycker, Ellis, Feland, Foster, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Keller, Knox, Lee, Mercer, T. Nelson, Peterson, Phillips, Swysgood, Wyatt, Zook.
Total 22

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 438 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich,

Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: R. DeBruycker.
Total 1

Excused: None.
Total 0

Absent or not voting: McCaffree.
Total 1

SB 445 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative McCulloch in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 415 - Representative Darko moved SB 415 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Forrester, Galvin, Gervais, Grady, S. J. Hansen, H. S. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Menahan, Messmore, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wallin, Whalen, Mr. Speaker.
Total 60

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, Cromley, J. DeBruycker, R. DeBruycker, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, M. Hanson, Hayne, Hoffman, Lee, McCaffree, Measure, Mercer, L. Nelson, T. Nelson, Nisbet, Phillips, Raney, Scott, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Wanzenried, Wyatt, Zook.
Total 40

Voted Absentee: Cobb, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 468 - Representative M. Hanson moved SB 468 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 92

Noes: Cohen, Feland, Nisbet, Peck, Raney, Wyatt.
Total 6

Excused: Cobb.
Total 1

Absent or not voting: S. Rice.
Total 1

SB 384 - Representative Harrington moved consideration of SB 384 be placed below HJR 51 on the second reading board. Motion carried.

SB 428 - Representative Cody moved SB 428, third reading copy, be amended as follows (amendment #1):

1. Title, line 4.
Following: "FOR"
Insert: "THE NEGOTIATION OF COOPERATIVE AGREEMENTS FOR"

2. Title, line 8.
Strike: "PROVIDING"
Insert: "ALLOWING THE AGREEMENTS TO PROVIDE"
Following: "COLLECTION"
Insert: ", USE,"

3. Title, line 9.
Following: ";"
Insert: "PROVIDING FOR STATUS REPORTS TO THE COMMITTEE ON INDIAN AFFAIRS AND THE PRESENTATION OF THE AGREEMENTS TO THE LEGISLATURE FOR APPROVAL;"

4. Page 1, line 19.
Following: "."
Insert: "The department may, with the concurrence of the attorney general, include as a member of the negotiating team a representative of the department of justice who has expertise in Indian matters. The department shall report the status of cooperative agreement negotiations to each meeting of the committee on Indian affairs."

5. Page 2, line 3.
Strike: "If"
Insert: "The agreement may provide that if"

6. Page 2, line 10.
Strike: "IS NOT"
Insert: "may not be"

7. Page 3, line 5.
Strike: "After"
Insert: "The agreement may provide that after"

8. Page 3, line 10.
Following: line 9
Insert: "(4) The agreement may provide for the collection, use, and distribution of the tax."

9. Page 3, line 10 through page 4, line 11.
Strike: sections 2 through 4 in their entirety

Insert: "NEW SECTION. Section 2. Approval by legislature. A cooperative agreement negotiated as provided in [section 1] must be submitted to the legislature. A cooperative agreement negotiated as provided in [section 1] may not become effective until approved by the legislature."
Renumber: subsequent sections

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: H. S. Hanson.
Total 1

Excused: Cobb.
Total 1

Absent or not voting: Boharski, Feland, Lee.
Total 3

Representative Steppler moved SB 428, third reading copy, be further amended as follows (amendment #2):

1. Amend the Rep. Cody amendment #5 as follows:
In Insert, Strike: "if"

And further amend the third reading copy as follows:

2. Page 2, lines 3 through 8.
Strike: from "a tribal" on line 3 through "The" on line 8
Insert: "the"

Amendment #2 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kasten, Keller, Kilpatrick, Knox, Larson, Lee,

Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 82

Noes: Brooke, Cocchiarella, Cohen, Gervais, H. S. Hanson, R. Johnson, Kadas, Kimberley, Measure, O'Keefe, Raney, Russell, Stang, Strizich, Whalen, Wyatt.
Total 16

Excused: Cobb.
Total 1

Absent or not voting: Ellison.
Total 1

Representative Cody moved SB 428, as amended, be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook.
Total 84

Noes: Benedict, Davis, J. DeBruycker, Ellison, Gilbert, Grinde, H. S. Hanson, McCaffree, Peck, Phillips, Spring, Swysgood, Wallin.
Total 13

Excused: Cobb, Mr. Speaker.
Total 2

Absent or not voting: Mercer.
Total 1

HB 2 - Representative Bardanouve moved Senate amendments to HB 2 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J.

Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: Gould.
Total 1

Voted Absentee: Cobb, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 51 - Representative Simpkins moved HJR 51 do pass. Motion carried as follows:

Ayes: Barnett, Barnhart, Benedict, Bergsagel, Boharski, Clark, Cody, Cromley, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Knox, Larson, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, J. Rice, Schye, Scott, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Zook.
Total 49

Noes: Bachini, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Gervais, S. J. Hansen, Harrington, J. Johnson, Kilpatrick, Kimberley, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Southworth, Squires, Stang, Stickney, Strizich, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 47

Excused: Cobb.
Total 1

Absent or not voting: Bardanouve, Galvin, S. Rice.
Total 3

SB 384 - Representative Bachini moved SB 384, third reading copy, be amended as follows (amendment #1):

1. Page 2, line 3.
Strike: "2%"
Insert: "4%"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, J. Brown, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dowell, Driscoll, Elliott, Ellis, Ellison, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, H. S. Hanson, Harrington, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Russell, Schye, Scott, Simpkins, Squires, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 63

Noes: Barnett, Benedict, Brooke, D. Brown, Clark, Cohen, Dolezal, Fagg, Feland, Grady, S. J. Hansen, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Measure, L. Nelson, T. Nelson, Phillips, Raney, Ream, Southworth, Spring, Stang, Steppler, Thoft, Mr. Speaker.
Total 33

Excused: Cobb.
Total 1

Absent or not voting: Peterson, J. Rice, S. Rice.
Total 3

Representative Harrington moved SB 384, third reading copy, be further amended as follows (amendment #2):

1. Title, line 14.
Following: "CENTERS;"
Insert: "SUBMITTING THE LEVY TO THE QUALIFIED ELECTORS OF MONTANA;"
Strike: "A RETROACTIVE" on line 18
Insert: "AN"

2. Page 12, lines 15 through 17.
Strike: section 8 in its entirety
Insert: "NEW SECTION. Section 8. Submission to electorate. The question of whether this act will become effective shall be submitted to the qualified electors of Montana at the primary election to be held in June 1992 by printing on the ballot the full title of this act and the following:

FOR giving the legislature authority to levy 2 mills for the support and maintenance of vocational and technical education.

AGAINST giving the legislature authority to levy 2 mills for the support and maintenance of vocational and technical education."

3. Page 12, line 18.

Following: "date"
Insert: " -- applicability"
Strike: remainder of lines 18 and 19
Insert: "If approved by the electorate, [this act] is effective December 31, 1992, and applies to tax years beginning after December 31, 1992."

Amendment #2 passed as follows:

Ayes: Bachini, Beck, Becker, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 52

Noes: Barnett, Barnhart, Benedict, Bergsagel, Boharski, Bradley, Clark, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 46

Excused: Cobb.
Total 1

Absent or not voting: Bardanouve.
Total 1

Representative Harrington moved SB 384, as amended, be concurred in.

Representative Mercer made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Mercer moved SB 384, third reading copy, be further amended as follows (amendment #3):

1. Amend Rep. Harrington's amendment #2 as follows:
Strike: "giving the legislature authority to" in both places
Insert: "imposing a"
Following: "levy"
Insert: "of"

Amendment #3 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Becker, Benedict, Bergsagel, Boharski, Clark, Cody, Connelly, Cromley, Darko, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Larson, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips,

Raney, Ream, J. Rice, S. Rice, Simpkins, Spring, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Zook.
Total 55

Noes: Bachini, Beck, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Daily, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Madison, McCarthy, McCulloch, Menahan, Nisbet, Pavlovich, Peck, Quilici, Russell, Schye, Scott, Southworth, Squires, Strizich, Toole, Whalen, Wyatt, Mr. Speaker.
Total 41

Excused: Cobb.
Total 1

Absent or not voting: Cohen, Measure, O'Keefe.
Total 3

Thereupon, SB 384, as amended, was concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, Grady, S. J. Hansen, Harrington, J. Johnson, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Toole, Whalen, Wyatt, Mr. Speaker.
Total 53

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Connelly, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Knox, Lee, McCaffree, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, Raney, J. Rice, Simpkins, Spring, Steppler, Thoft, Thomas, Tunby, Wallin, Wanzenried, Zook.
Total 47

Voted Absentee: Cobb, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 5 - Representative Connelly moved Senate amendments to HB 5 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J.

DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HB 7 - Representative Connelly moved Senate amendments to HB 7 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: Harrington.
Total 1

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HB 20 - Representative Pavlovich moved Senate amendments to HB 20 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly,

Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Tot l 80

Noes: Bergsagel, Boharski, Cody, R. DeBruycker, Ellison, Fagg, Feland, Foster, Grinde, Kasten, Knox, Lee, Mercer, Swysgood, Thoft.
Total 15

Excused: Cobb.
Total 1

Absent or not voting: Ellis, Kadas, Simpkins, Stang.
Total 4

HB 30 - Representative Peck moved Senate amendments to HB 30 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: R. DeBruycker, Feland, Grinde, H. S. Hanson, Kasten, McCaffree, T. Nelson, Swysgood, Thoft, Tunby.
Total 10

Excused: Cobb.
Total 1

Absent or not voting: Bardanouve, S. Rice.
Total 2

HB 103 - Representative Russell moved Senate amendments to HB 103 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker,

Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 95

Noes: Clark, R. DeBruycker.
Total 2

Excused: Cobb, Mr. Speaker.
Total 2

Absent or not voting: Simpkins.
Total 1

HB 125 - Representative Gervais moved Senate amendments to HB 125 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Benedict, R. DeBruycker, Ellis, Grady, Grinde, Hayne, Kasten, Keller, Knox.
Total 9

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HB 179 - Representative Phillips moved Senate amendments to HB 179 be not concurred in. Motion failed as follows:

Ayes: Barnett, Benedict, Bergsagel, Boharski, Clark, Connelly, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten,

Keller, Knox, Lee, Mercer, Messmore, Pavlovich, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 40

Noes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Madison, McCaffree, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 56

Excused: Cobb.
Total 1

Absent or not voting: Larson, McCarthy, T. Nelson.
Total 3

Representative Driscoll moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman McCulloch moved the adoption of the committee report.

Representative Pavlovich made a substitute motion Senate amendments to HB 20 be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion carried. (61-36)

REPORTS OF STANDING COMMITTEES

TAXATION (Harrington, Chairman): 4/17/91
HJR 53, introduced bill, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill No. 244
Report No. 1, April 17, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered House Bill 244 (reference copy -- salmon) and recommend it be amended as follows:

1. Page 2, lines 16 and 17.
Strike: "present," on line 16 through "legislature" on line 17
Insert: "voting on the final vote on the bill"

2. Page 2, lines 22 and 23.
Strike: "present," on line 22 through "legislature" on line 23
Insert: "voting on the final vote on the bill"

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
Darko, Chair	Van Valkenburg, Chair
Thomas	Blaylock
Kadas	B. Brown

Conference Committee
on House Bill No. 511
Report No. 1, April 17, 1991

Mr. Speaker and Mr. President:

We, your Conference Committee on House Bill 511 met and considered Senate committee on Finance and Claims amendments, dated April 4, 1991, and recommend that House Bill 511 (reference copy -- salmon) be amended as follows:

1. Page 4, line 19.
Strike: "$50,000"
Insert: "$125,000"

2. Page 4, line 22.
Strike: "$50,000"
Insert: "$125,000"

3. Page 5, line 12.
Strike: "$50,000"
Insert: "$125,000"

4. Page 5, line 16.
Strike: "$50,000"
Insert: "$125,000"

And that this Conference Committee report be adopted.

For the House:	For the Senate:
Strizich, Chair	Jacobson, Chair
Wanzenried	Franklin
R. Johnson	Nathe

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House: 4/17/91

HB 334, introduced by Swysgood

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/16/91

HB 46, introduced by Galvin

HB 155, introduced by Strizich
HB 196, introduced by Kilpatrick
HB 312, introduced by Hoffman
HB 452, introduced by Larson
HB 693, introduced by Thomas
HB 699, introduced by Ellison
HB 738, introduced by Elliott
HB 753, introduced by Harrington
HB 787, introduced by Quilici
HB 790, introduced by Messmore
HB 801, introduced by Menahan
HB 803, introduced by Menahan
HB 868, introduced by Steppler
HB 903, introduced by Cobb
HB 914, introduced by S. Rice
HB 970, introduced by Cocchiarella
HB 976, introduced by Swysgood
HB 993, introduced by Zook
HB 994, introduced by Hansen
HB 1012, introduced by Elliott

House bills concurred in and returned to the House: 4/17/91

HB 448, introduced by Ream
HJR 45, introduced by Wyatt

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/17/91

HB 77, introduced by Quilici
HB 93, introduced by Cobb
HB 701, introduced by Driscoll
HB 781, introduced by Kimberley
HB 795, introduced by Harper
HB 809, introduced by Peterson
HB 869, introduced by Simpkins
HB 896, introduced by Peterson
HB 973, introduced by Stang
HB 996, introduced by Ream
HB 1007, introduced by Kadas
HJR 24, introduced by Ream

Senate bills passed and transmitted to the House for concurrence: 4/17/91

SJR 28, introduced by Koehnke
SJR 29, introduced by Halligan

MESSAGES FROM THE GOVERNOR

The Honorable Joseph P. Mazurek April 17, 1991
President of the Senate
State Capitol

Helena, Montana 59620

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

Dear President Mazurek and Speaker Harper:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to Senate Bill 256, "AN ACT AMENDING THE PREFERRED PROVIDER AGREEMENTS ACT TO REQUIRE HEALTH CARE INSURERS TO ENTER INTO PREFERRED PROVIDER AGREEMENTS WITH ALL HEALTH CARE PROVIDERS WILLING TO PROVIDE HEALTH CARE SERVICES UNDER A PREFERRED PROVIDER AGREEMENT; AMENDING SECTION 33-22-1704, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

I propose to amend Senate Bill 256 by placing a two year sunset amendment on the bill. Although the objectives of Senate Bill 256 are laudable (allowing willing providers to meet the terms and conditions established in Preferred Provider Agreements), the effect of this bill on health care costs is currently impossible to predict.

Senate Bill 256 also raises several fundamental issues about health care in Montana such as access to high quality health care services in rural communities, the role of Preferred Provider Agreements in controlling health care costs and the effect of these agreements on rural communities.

Because of the importance of these issues, it is appropriate to evaluate the impact of this bill after two years.

I urge your concurrence with this amendment.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
SENATE BILL 256
(REFERENCE COPY, AS AMENDED)
April 17, 1991

1. Page 2, following line 25.
Insert: "NEW SECTION. Section 3. Termination. [This Act] terminates July 1, 1993."

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HJR 54, introduced by Brooke, Bradley, Ream, Eck, Waterman, Wyatt, Russell, R. Johnson, Dowell, Squires, Halligan, Bruski, referred to Committee on Human Services and Aging

MOTIONS

Representative Driscoll moved the House accede to the request of the Senate to appoint conference committees to meet with like committees from the Senate to confer on House amendments to SB 37, SB 51, SB 189, SB 191, SB 199 and SB 273. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 415 concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Foster, Galvin, Gervais, Grady, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, Menahan, Messmore, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Squires, Stang, Stickney, Toole, Tunby, Whalen, Wyatt, Mr. Speaker.
Total 57

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cody, Cromley, J. DeBruycker, R. DeBruycker, Ellison, Fagg, Feland, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Lee, McCaffree, McCulloch, Measure, Mercer, L. Nelson, T. Nelson, Nisbet, Phillips, Raney, Scott, Simpkins, Spring, Steppler, Strizich, Swysgood, Thoft, Thomas, Wallin, Wanzenried, Zook.
Total 41

Excused: Cobb.
Total 1

Absent or not voting: Ellis.
Total 1

SB 468 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peterson, Phillips,

Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 92

Noes: J. DeBruycker, McCulloch, Nisbet, Peck, Southworth, Wyatt.
Total 6

Excused: Cobb.
Total 1

Absent or not voting: S. Rice.
Total 1

SB 384 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Toole, Whalen, Wyatt, Mr. Speaker.
Total 53

Noes: Barnett, Benedict, Bergsagel, Boharski, Cohen, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Ellison, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Knox, Lee, McCaffree, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, Raney, J. Rice, Simpkins, Spring, Steppler, Thoft, Thomas, Tunby, Wallin, Wanzenried, Zook.
Total 45

Excused: Cobb.
Total 1

Absent or not voting: Fagg.
Total 1

SB 428 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Steppler,

Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Barnett, Benedict, Davis, Ellison, Gilbert, Grinde, McCaffree, Phillips, Spring, Swysgood, Thoft, Wallin.
Total 12

Excused: Cobb.
Total 1

Absent or not voting: Stang.
Total 1

Representative Driscoll moved the House recess until 2:30 p.m. Motion carried.

House recessed at 12:45 p.m.

House reconvened at 2:30 p.m. Mr. Speaker in the Chair.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative McCulloch in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 20 - Representative Pavlovich moved Senate amendments to HB 20 be not concurred in. Motion carried as follows:

Ayes: Barnett, Beck, Benedict, Bergsagel, Boharski, D. Brown, Clark, Cobb, Cody, Connelly, Daily, Davis, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Larson, Lee, Madison, McCarthy, Menahan, Mercer, Messmore, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, J. Rice, Schye, Simpkins, Spring, Steppler, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wyatt, Zook.
Total 61

Noes: Bardanouve, Barnhart, Becker, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Cromley, Darko, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Galvin, S. J. Hansen, Kadas, Kilpatrick, Kimberley, McCaffree, McCulloch, Measure, L. Nelson, O'Keefe, Peck, Raney, Ream, S. Rice, Scott, Southworth, Squires, Stang, Stickney, Wanzenried, Whalen, Mr. Speaker.
Total 37

Voted Absentee: Cobb, Aye.

Excused: None.
Total 0

Absent or not voting: Bachini, Russell.
Total 2

HB 365 - Representative Swysgood moved Senate amendments to HB 365 be not concurred in.

Representative Driscoll made a substitute motion Senate amendments to HB 365 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 58

Noes: Barnett, Benedict, Bergsagel, Boharski, Bradley, Clark, Connelly, R. DeBruycker, Ellis, Ellison, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Mercer, Messmore, T. Nelson, Pavlovich, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 40

Excused: Cobb.
Total 1

Absent or not voting: Fagg.
Total 1

HB 454 - Representative Bardanouve moved Senate amendments to HB 454 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Voted Absentee: Cobb, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 477 - Representative Kadas moved Senate amendments to HB 477 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: R. DeBruycker.
Total 1

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HB 489 - Representative O'Keefe moved Senate amendments to HB 489 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang,

Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: Benedict.
Total 1

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HB 528 - Representative Brooke moved Senate amendments to HB 528 be not concurred in.

Representative Menahan made a substitute motion consideration of Senate amendments to HB 528 be passed for the day. Motion carried.

HB 569 - Representative J. Rice moved Senate amendments to HB 569 be not concurred in.

Representative D. Brown made a substitute motion Senate amendments to HB 569 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 58

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Connelly, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 42

Voted Absentee: Cobb, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 595 - Representative Strizich moved Senate amendments to HB 595 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 91

Noes: R. DeBruycker, Ellis, M. Hanson, R. Johnson, Knox.
Total 5

Excused: Cobb.
Total 1

Absent or not voting: Grady, Lee, Zook.
Total 3

HB 684 - Representative Driscoll moved Senate amendments to HB 684 be concurred in. Motion failed as follows:

Ayes: Barnhart, Beck, Becker, Bradley, D. Brown, J. Brown, Cocchiarella, Cody, Cromley, Daily, Darko, Davis, Driscoll, Fagg, Forrester, Galvin, Gervais, Gould, H. S. Hanson, Harrington, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Messmore, T. Nelson, Pavlovich, Quilici, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Whalen, Wyatt, Mr. Speaker.
Total 47

Noes: Bachini, Bardanouve, Barnett, Benedict, Bergsagel, Boharski, Brooke, Clark, Cobb, Cohen, Connelly, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Feland, Foster, Gilbert, Grady, Grinde, S. J. Hansen, M. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Knox, Lee, Menahan, Mercer, L. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Raney, Ream, J. Rice, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Zook.
Total 52

Voted Absentee: Cobb, No.

Excused: None.
Total 0

Absent or not voting: J. Johnson.
Total 1

HB 696 - Representative J. Rice moved Senate amendments to HB 696 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 76

Noes: Bachini, Bergsagel, Boharski, Cromley, R. DeBruycker, Feland, Gilbert, Gould, H. S. Hanson, Kasten, Knox, Lee, Measure, T. Nelson, Peck, Peterson, Phillips, Steppler, Swysgood, Thoft.
Total 20

Excused: Cobb.
Total 1

Absent or not voting: Ellison, Hayne, Wyatt.
Total 3

HB 704 - Representative Wanzenried moved Senate amendments to HB 704 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: Bergsagel, Boharski, R. DeBruycker, Ellis, Feland, Gilbert, Grinde, H. S. Hanson, Kasten, Peck, Peterson, Phillips, Stang, Swysgood, Thoft, Thomas.
Total 16

Excused: Cobb.
Total 1

Absent or not voting: Hayne.
Total 1

HB 731 - Representative Ream moved Senate amendments to HB 731 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 85

Noes: Beck, Bergsagel, R. DeBruycker, Elliott, M. Hanson, Hoffman, Knox, Messmore, Peterson, Phillips, Spring.
Total 11

Excused: Cobb.
Total 1

Absent or not voting: Hayne, Keller, Wyatt.
Total 3

HB 934 - Representative Thomas moved Senate amendments to HB 934 be concurred in. Motion carried as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Knox, Larson, Madison, McCaffree, McCarthy, Menahan, Mercer, T. Nelson, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Simpkins, Spring, Squires, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 70

Noes: Bachini, Bardanouve, Cody, Cohen, J. DeBruycker, Dolezal, Dowell, Elliott, Feland, Galvin, Gervais, Kadas, Kimberley, Lee, McCulloch, Measure, L. Nelson, Nisbet, Peck, Raney, Russell, Schye, Scott, Southworth, Stang, Steppler, Stickney, Whalen.
Total 28

Excused: Cobb.
Total 1

Absent or not voting: Messmore.
Total 1

HB 963 - Representative Bardanouve moved Senate amendments to HB 963 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Cobb.
Total 1

Absent or not voting: M. Hanson.
Total 1

HB 977 - Representative Bradley moved Senate amendments to HB 977 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Bachini, Boharski, Feland, Gilbert, Kasten, Knox, Peck, Phillips, Swysgood, Thoft.
Total 10

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HB 990 - Representative S. Rice moved Senate amendments to HB 990 be concurred in. Motion failed as follows:

Ayes: Beck, Bradley, D. Brown, J. Brown, Cocchiarella, Daily, Darko, Dolezal, Dowell, Driscoll, Fagg, Forrester, Galvin, Gervais, Harrington, Kadas, Kilpatrick, Madison, McCulloch, Measure, Messmore, O'Keefe, Pavlovich, Phillips, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Stickney, Strizich, Toole, Wyatt, Mr. Speaker.
Total 35

Noes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Bergsagel, Boharski, Brooke, Clark, Cody, Cohen, Connelly, Cromley, Davis, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Ellison, Feland, Foster, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kimberley, Knox, Larson, Lee, McCaffree, McCarthy, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, Peck, Peterson, Quilici, Raney, Scott, Southworth, Spring, Squires, Stang, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Zook.
Total 63

Excused: Cobb.
Total 1

Absent or not voting: Benedict.
Total 1

HB 1008 - Representative Bardanouve moved Senate amendments to HB 1008 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: D. Brown, R. DeBruycker, Feland, S. J. Hansen, Phillips.
Total 5

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HB 996 - Representative Ream moved Senate amendments to HB 996 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 67

Noes: Barnett, Benedict, Bergsagel, Clark, Cobb, R. DeBruycker, Ellis, Ellison, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, T. Nelson, Phillips, J. Rice, Spring, Swysgood, Thoft, Thomas, Wallin, Zook.
Total 33

Voted Absentee: Cobb, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 1007 - Representative Kadas moved Senate amendments to HB 1007 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 57

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Connelly, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 43

Voted Absentee: Cobb, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman McCulloch moved the adoption of the committee report.

Representative Driscoll made a substitute motion Senate amendments to HB 684 be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion carried. (59-37)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/17/91
Correctly printed: HJR 53.
Correctly enrolled: HB 6, HB 8, HB 10, HB 393, HB 465, HB 513, HB 520, HB 524, HB 572, HB 607, HB 651, HB 703, HB 757, HB 804, HB 807, HB 832, HB 837, HB 841, HB 906, HB 927, HB 968, HB 982.
Examined by the sponsor and found to be correct:
HB 6 - Connelly
HB 8 - Connelly
HB 513 - Simpkins
HB 520 - Cocchiarella
HB 524 - Raney
HB 572 - J. Rice
HB 607 - Raney
HB 651 - Harrington
HB 757 - Kadas
HB 804 - Menahan
HB 807 - R. Johnson
HB 832 - Ellison
HB 837 - Driscoll
HB 841 - Bergsagel
HB 906 - Connelly
HB 927 - Harrington
HB 982 - O'Keefe
Delivered to the Governor for his approval at 4:56 p.m., 4/17/91: HB 59, HB 74, HB 300, HB 497, HB 534, HB 544, HB 549, HB 556, HB 620, HB 629, HB 665, HB 677, HB 678, HB 705, HB 761, HB 773, HB 846, HB 856, HB 860, HB 870, HB 888, HB 891, HB 894, HB 908, HB 917, HB 943, HB 966.
Delivered to the Governor for his approval at 5:30 p.m., 4/17/91: HB 142, HB 256.

REPORTS OF SELECT COMMITTEES

Conference Committee
on House Bill 698
Report No. 1, April 17, 1991

Mr. Speaker and Mr. President:

We, your Conference Committee on House Bill 698 met and considered Senate Committee on Business and Industry amendments, dated March 21, 1991 and recommend that House Bill 698 (reference copy -- salmon) be amended as follows:

1. Title, line 7.
Strike: "ELIMINATING SALES TO THE PUBLIC;"

2. Page 1, line 24.
Strike: "OR"

3. Page 2, line 1.
Insert: "or
(iii) the public; or"

4. Page 2, lines 4 and 5.
Strike: "DURING NORMAL BUSINESS HOURS"

And that this Conference Committee report be adopted.

For the House:	For the Senate:
O'Keefe, Chair	Halligan, Chair
Scott	Harp
J. Rice	Waterman

MESSAGES FROM THE SENATE

HB 995, introduced by Harper, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate as amended and was transmitted on 4/17/91 to the House with the following vote:

YEAS - 41
NAYS - 6

Governor's amendments not concurred in: 4/17/91

HB 142, introduced by Swysgood
HB 256, introduced by Driscoll
SB 157, introduced by Vaughn
SB 228, introduced by Yellowtail

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bills were introduced, read first time, and referred to committee:

SJR 28, introduced by Koehnke, Clark, referred to Committee on Natural Resources

SJR 29, introduced by Halligan, Pinsoneault, Grosfield, Towe, Yellowtail, Crippen, Rye, Doherty, Svrcek, B. Brown, Harp, Mazurek, referred to Committee on Judiciary

MOTIONS

Representative Whalen moved the rules be suspended to permit the late introduction of a bill. Motion carried.

Representative Messmore moved she be allowed to change her vote on Senate amendments to HB 704, second reading, from no to yes. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HB 1013, introduced by Whalen, D. Brown, Nathe, Pavlovich, Menahan, Quilici, Gilbert, Grady, Larson, Daily, G. Beck, McCarthy, J. Rice, Foster, J. Brown, Harper, O'Keefe, referred to Committee on Business and Economic Development

SPECIAL ORDERS OF THE DAY

Executive Director Deborah Schmidt
Environmental Quality Council
Room 106
State Capitol
Helena, MT 59620

April 17, 1991

Dear Deborah:

Pursuant to Title 5, Chapter 16, Montana Code Annotated, I am pleased to appoint Representative David Hoffman and Helen Waller to the Environmental Quality Council.

I reappoint the following EQC members to another term:

Representative Jerry L. Driscoll
Representative Edward J. Grady
Representative Bob Raney
Doug Crandall

Sincerely,

Hal Harper
Speaker

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 9:30 a.m., Thursday, April 18, 1991. Motion carried.

House adjourned at 6:35.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

EIGHTY-THIRD LEGISLATIVE DAY

Helena, Montana
April 18, 1991

House Chambers
State Capitol

House convened at 9:35 a.m. Mr. Speaker in the Chair. Invocation by Representative Barnett. Pledge of Allegiance to the Flag.

Roll call. All members present except Cobb, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the seventy-third legislative day, find the same to be correct.

Menahan, Chairman

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 30, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: R. DeBruycker, Feland, Grinde, H. S. Hanson, Kasten, T. Nelson, Simpkins, Spring, Swysgood, Thoft, Tunby.
Total 11

Excused: Cobb.
Total 1

Absent or not voting: Steppler.
Total 1

HB 103, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson,

T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 92

Noes: Bergsagel, Clark, R. DeBruycker, Kasten, Peterson, Zook.
Total 6

Excused: Cobb.
Total 1

Absent or not voting: Toole.
Total 1

HB 125, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 79

Noes: Barnett, Benedict, Bergsagel, R. DeBruycker, Ellison, Feland, Gilbert, Grinde, H. S. Hanson, Hayne, Kasten, Knox, Peck, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Zook.
Total 20

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HB 179, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Forrester, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 73

Noes: Barnett, Benedict, Bergsagel, Daily, R. DeBruycker, Elliott, Fagg, Feland, Foster, Grady, M. Hanson, Hoffman, Kasten, Lee, Mercer, Pavlovich, Peterson, Phillips, Quilici, J. Rice, Simpkins, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 26

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HB 365, Senate amendments, concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Galvin, Gervais, Gould, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, J. Johnson, Kadas, Kilpatrick, Kimberley, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Raney, Ream, S. Rice, Russell, Schye, Spring, Squires, Stang, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 60

Noes: Bachini, Barnett, Benedict, Bergsagel, Bradley, Cody, Daily, R. DeBruycker, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Grady, M. Hanson, Hoffman, R. Johnson, Kasten, Keller, Knox, Larson, Mercer, T. Nelson, Pavlovich, Peck, Peterson, Phillips, Quilici, J. Rice, Scott, Simpkins, Southworth, Steppler, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 39

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HB 477, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: R. DeBruycker, Feland, Gilbert.
Total 3

Excused: Cobb.
Total 1

Absent or not voting: Ellis.
Total 1

HB 489, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bergsagel, Gilbert, Hayne, Kasten, Peterson.
Total 5

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HB 569, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Madison, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 61

Noes: Barnett, Benedict, Bergsagel, Boharski, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Grinde, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Larson, Lee, McCaffree, Mercer, Messmore, T. Nelson, Peck, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 38

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HB 595, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: Bergsagel, R. DeBruycker, Driscoll, Ellis, Foster, Gilbert, H. S. Hanson, M. Hanson, R. Johnson, Kasten, Keller, Knox, Mercer, T. Nelson, Peterson.
Total 15

Excused: Cobb.
Total 1

Absent or not voting: Benedict, Hayne, Schye.
Total 3

HB 696, Senate amendments, concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: Bachini, Bergsagel, Boharski, Cromley, R. DeBruycker, Ellison, Feland, Gilbert, Kasten, Larson, Lee, T. Nelson, Peck, Peterson, Phillips, Steppler, Swysgood, Thoft.
Total 18

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HB 704, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 84

Noes: Barnett, Bergsagel, Boharski, R. DeBruycker, Ellis, Feland, H. S. Hanson, Hayne, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Zook.
Total 15

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HB 731, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 77

Noes: Beck, Bergsagel, Clark, R. DeBruycker, Elliott, Ellis, Ellison, Feland, Gilbert, Grinde, M. Hanson, Hayne, Hoffman, Knox, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Thomas.
Total 21

Excused: Cobb.
Total 1

Absent or not voting: L. Nelson.
Total 1

HB 934, Senate amendments, concurred in as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Simpkins, Spring, Squires, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: Bachini, Bardanouve, Cody, J. DeBruycker, Elliott, Ellison, Lee, L. Nelson, Nisbet, Peck, Raney, Russell, Schye, Scott, Southworth, Stang, Steppler.
Total 17

Voted Absentee: Cobb, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 977, Senate amendments, concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Bachini, Barnett, Bergsagel, Boharski, Feland, Gilbert, Grinde, Kasten, Knox, Measure, T. Nelson, Phillips, Swysgood, Thoft.
Total 14

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HB 996, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 58

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Pavlovich, Peterson, Phillips, Quilici, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 42

Voted Absentee: Cobb, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 1007, Senate amendments, concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 56

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Connelly, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 44

Voted Absentee: Cobb, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 1008, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: R. DeBruycker, Feland, Gould, Grinde, Phillips.
Total 5

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Swysgood in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 228 - Representative Gould moved consideration of Governor's amendments to SB 228 be moved to the top of the second reading board. Motion carried.

SB 228 - Representative Gould moved Governor's amendments to SB 228 be not concurred in. Motion carried as follows:

Ayes: Barnhart, Beck, Becker, Bradley, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, J. DeBruycker, Dolezal, Dowell, Feland, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kadas, Kimberley, Madison, McCaffree, McCarthy,

McCulloch, Measure, Menahan, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, S. Rice, Russell, Schye, Southworth, Squires, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wanzenried, Whalen, Mr. Speaker.
Total 51

Noes: Bachini, Barnett, Benedict, Bergsagel, Brooke, Clark, Cody, Darko, Davis, R. DeBruycker, Driscoll, Elliott, Ellis, Ellison, Fagg, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Kilpatrick, Knox, Lee, Mercer, Messmore, L. Nelson, Peck, Peterson, Phillips, Raney, J. Rice, Scott, Simpkins, Spring, Stang, Steppler, Thoft, Wyatt, Zook.
Total 43

Excused: Cobb.
Total 1

Absent or not voting: Bardanouve, Boharski, Larson, Ream, Wallin.
Total 5

HB 528 - Representative Brooke moved Senate amendments to HB 528 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Benedict, Bergsagel, Cody, Daily, R. DeBruycker, Feland, Gilbert, Menahan, Pavlovich, Quilici, Swysgood, Thoft.
Total 12

Excused: Cobb.
Total 1

Absent or not voting: Bardanouve, Boharski, Ream.
Total 3

HB 684 - Representative Darko moved consideration of Senate amendments to HB 684 be placed at the bottom of the second reading board. Motion carried.

HB 46 - Representative Galvin moved Senate amendments to HB 46 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Cobb.
Total 1

Absent or not voting: Boharski, Elliott, Kadas, Toole.
Total 4

HB 155 - Representative Strizich moved Senate amendments to HB 155 be concurred in. Motion carried as follows:

Ayes: Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 70

Noes: Bachini, Barnett, Benedict, Bergsagel, Clark, Cody, R. DeBruycker, Elliott, Ellis, Gilbert, H. S. Hanson, Hayne, Kasten, Keller, Lee, Mercer, Messmore, L. Nelson, Peck, Peterson, Phillips, Raney, Simpkins, Spring, Steppler.
Total 25

Excused: Cobb.
Total 1

Absent or not voting: Bardanouve, Boharski, Ellison, Harrington.
Total 4

HB 196 - Representative Kilpatrick moved Senate amendments to HB 196 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 61

Noes: Barnett, Benedict, Bergsagel, Clark, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 36

Excused: Cobb.
Total 1

Absent or not voting: Bardanouve, Boharski.
Total 2

HB 312 - Representative Hoffman moved Senate amendments to HB 312 be concurred in. Motion carried as follows:

Ayes: Beck, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, Hayne, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, Messmore, L. Nelson, Nisbet, Pavlovich, Phillips, Quilici, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Thomas, Tunby, Whalen, Wyatt, Mr. Speaker.
Total 53

Noes: Bachini, Barnett, Barnhart, Becker, Benedict, Bergsagel, Cobb, R. DeBruycker, Dowell, Ellison, Fagg, Feland, Forrester, Gilbert, Grinde, H. S. Hanson, M. Hanson, R. Johnson, Kasten, Keller, Knox, Lee, McCulloch, Measure, Menahan, Mercer, T. Nelson, O'Keefe, Peck, Peterson, Raney, J. Rice, Simpkins, Spring, Stang, Steppler, Swysgood, Thoft, Toole, Wallin, Wanzenried, Zook.
Total 42

Voted Absentee: Cobb, No.

Excused: None.
Total 0

Absent or not voting: Bardanouve, Boharski, Brooke, Cohen, Harrington.
Total 5

HB 452 - Representative Larson moved Senate amendments to HB 452 be not concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: Cobb, Aye.

Excused: None.
Total 0

Absent or not voting: Bardanouve, Boharski, Kasten.
Total 3

HB 693 - Representative Thomas moved Senate amendments to HB 693 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Zook.
Total 91

Noes: Brooke, Measure, Raney, Ream, Wanzenried, Wyatt, Mr. Speaker.
Total 7

Voted Absentee: Cobb, Aye.

Excused: None.
Total 0

Absent or not voting: Cohen, S. Rice.
Total 2

HB 699 - Representative Ellison moved Senate amendments to HB 699 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Boharski, Southworth.
Total 2

Excused: Cobb.
Total 1

Absent or not voting: Gervais.
Total 1

HB 738 - Representative Elliott moved Senate amendments to HB 738 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 78

Noes: Bachini, Benedict, Bergsagel, Boharski, Cobb, R. DeBruycker, Ellis, Fagg, Feland, Forrester, H. S. Hanson, M. Hanson, Kasten, Keller, Knox, Lee, Messmore, T. Nelson, Peck, Peterson, Spring, Wyatt.
Total 22

Voted Absentee: Cobb, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 753 - Representative Harrington moved Senate amendments to HB 753 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: R. DeBruycker, M. Hanson, Kasten, Knox, McCaffree, Simpkins.
Total 6

Excused: Cobb.
Total 1

Absent or not voting: Fagg, T. Nelson.
Total 2

HB 787 - Representative Quilici moved Senate amendments to HB 787 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: R. DeBruycker, Simpkins.
Total 2

Excused: Cobb.
Total 1

Absent or not voting: Ellis, Hoffman, Toole.
Total 3

HB 790 - Representative Messmore moved Senate amendments to HB 790 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Voted Absentee: Cobb, Aye.

Excused: None.
Total 0

Absent or not voting: Harrington, Pavlovich.
Total 2

HB 801 - Representative Menahan moved Senate amendments to HB 801 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Ellison, Fagg, Feland, Kasten, Measure, T. Nelson, Tunby.
Total 7

Voted Absentee: Cobb, Aye.

Excused: None.
Total 0

Absent or not voting: Brooke, Ellis, McCulloch, Quilici.
Total 4

HB 803 - Representative Menahan moved Senate amendments to HB 803 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Clark, R. DeBruycker, Ellis, Hayne, R. Johnson, Knox, McCaffree, Spring.
Total 8

Excused: Cobb.
Total 1

Absent or not voting: Bardanouve, Boharski, Cohen, Grinde, Hoffman, Lee, S. Rice.
Total 7

HB 868 - Representative Steppler moved Senate amendments to HB 868 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich,

Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Cohen, Connelly, R. DeBruycker, Gilbert, McCaffree, Measure, O'Keefe, Raney, Stang.
Total 9

Excused: Cobb.
Total 1

Absent or not voting: Hoffman.
Total 1

HB 903 - Representative Darko moved consideration of Senate amendments to HB 903 be placed at the bottom of the second reading board. Motion carried.

HB 914 - Representative S. Rice moved Senate amendments to HB 914 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Cody, R. DeBruycker, Measure, Raney.
Total 4

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

Representative Gilbert in the Chair at this time.

HB 970 - Representative Cocchiarella moved Senate amendments to HB 970 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker,

Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: R. DeBruycker, S. J. Hansen, Raney.
Total 3

Voted Absentee: Cobb, Aye.

Excused: None.
Total 0

Absent or not voting: Cohen.
Total 1

HB 976 - Representative Swysgood moved Senate amendments to HB 976 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Measure, O'Keefe, Raney, Scott.
Total 4

Excused: Cobb.
Total 1

Absent or not voting: Lee.
Total 1

Representative Swysgood resumed the Chair at this time.

HB 993 - Representative Zook moved consideration of Senate amendments to HB 993 be placed at the bottom of the second reading board. Motion carried.

HB 994 - Representative Hansen moved Senate amendments to HB 994 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Bergsagel, R. DeBruycker, Ellis, Gould, Hayne, Kasten, Knox, Lee, L. Nelson.
Total 9

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HB 1012 - Representative Elliott moved Senate amendments to HB 1012 be not concurred in.

Representative D. Brown made a substitute motion Senate amendments to HB 1012 be concurred in. Motion carried as follows:

Ayes: Beck, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Dowell, Driscoll, Forrester, Foster, Galvin, Gervais, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, Kilpatrick, Kimberley, Lee, McCarthy, McCulloch, Menahan, Mercer, Messmore, Nisbet, Pavlovich, Phillips, Quilici, Russell, Scott, Squires, Stickney, Strizich, Swysgood, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 51

Noes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Boharski, Bradley, Clark, Cromley, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Elliott, Ellis, Ellison, Fagg, Feland, Gilbert, Grady, Hoffman, R. Johnson, Kadas, Kasten, Keller, Knox, Larson, Madison, McCaffree, Measure, L. Nelson, T. Nelson, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Schye, Simpkins, Southworth, Spring, Stang, Steppler, Thoft, Thomas, Tunby.
Total 48

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HJR 52 - Representative Simpkins moved HJR 52 do pass.

Representative D. Brown made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative D. Brown moved HJR 52, second reading copy, be amended (amendment #1). Amendment #1 failed as follows: (46-46)

Thereupon, HJR 52 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cody, Cohen, Connelly, Cromley, Darko, Dolezal, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 73

Noes: Bachini, D. Brown, Cocchiarella, Daily, Davis, J. DeBruycker, R. DeBruycker, Dowell, Driscoll, Elliott, Forrester, Gervais, S. J. Hansen, M. Hanson, Harrington, Knox, McCaffree, McCarthy, Measure, Menahan, Pavlovich, Peck, Quilici, Scott, Strizich.
Total 25

Excused: Cobb.
Total 1

Absent or not voting: McCulloch.
Total 1

HB 77 - Representative Quilici moved Senate amendments to HB 77 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring,

Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Cohen, Measure.
Total 2

Excused: Cobb.
Total 1

Absent or not voting: J. DeBruycker, Ellison, Forrester, Grady.
Total 4

HB 93 - Representative Thomas moved Senate amendments to HB 93 be concurred in.

Representative Bradley made a substitute motion Senate amendments to HB 93 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Feland, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 59

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Ellis, Ellison, Fagg, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, T. Nelson, Peterson, Phillips, J. Rice, S. Rice, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 38

Voted Absentee: Cobb, No.

Excused: None.
Total 0

Absent or not voting: D. Brown, Driscoll, Larson.
Total 3

HB 701 - Representative Darko moved consideration of Senate amendments to HB 701 be placed at the bottom of the second reading board. Motion carried.

HB 781 - Representative Kimberley moved Senate amendments to HB 781 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody,

Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Bergsagel, Elliott, Gilbert, H. S. Hanson, M. Hanson, Hayne, Kasten, Peck, Spring.
Total 9

Excused: Cobb.
Total 1

Absent or not voting: Driscoll.
Total 1

HB 795 - Representative D. Brown moved consideration of Senate amendments to HB 795 be placed at the bottom of the second reading board. Motion carried.

HB 809 - Representative Peterson moved Senate amendments to HB 809 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellison, Fagg, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stang, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook.
Total 80

Noes: Bachini, Barnhart, Clark, Cohen, R. DeBruycker, Ellis, Feland, Galvin, R. Johnson, Kasten, McCaffree, O'Keefe, Peck, Squires, Steppler, Thomas, Wyatt.
Total 17

Excused: Cobb, Mr. Speaker.
Total 2

Absent or not voting: Driscoll.
Total 1

HB 869 - Representative D. Brown moved consideration of Senate amendments to HB 869 be placed at the bottom of the second reading board. Motion carried.

HB 896 - Representative Peterson moved Senate amendments to HB 896 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Cobb.
Total 1

Absent or not voting: Driscoll, Kadas, Knox.
Total 3

HB 973 - Representative Stang moved Senate amendments to HB 973 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Cobb, Aye.

Excused: None.
Total 0

Absent or not voting: Driscoll.
Total 1

HB 995 - Representative Harper moved Senate amendments to HB 995 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: R. Johnson.
Total 1

Voted Absentee: Cobb, Aye.

Excused: None.
Total 0

Absent or not voting: Grinde.
Total 1

HJR 24 - Representative Ream moved Senate amendments to HJR 24 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HB 244 - Representative Thomas moved the free conference committee report #1 to HB 244 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Cobb.
Total 1

Absent or not voting: Kadas, Thoft.
Total 2

Representative Driscoll moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Swysgood moved the adoption of the committee report. Report adopted. (89-8)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/18/91
Correctly engrossed: HJR 51.
Correctly enrolled: HB 9, HB 298, HB 299, HB 371, HB 414, HB 491, HB 498, HB 560, HB 728, HB 746, HB 760, HB 777, HB 830, HB 842, HB 937, HB 940, HB 942, HB 964, HB 978, HB 996, HB 999, HB 1007, HB 1010.
Examined by the sponsor and found to be correct:
HB 9 - Connelly
HB 10 - Bardanouve
HB 299 - S. Rice

HB 371 - Menahan
HB 414 - Cohen
HB 465 - Thomas
HB 491 - O'Keefe
HB 498 - Steppler
HB 560 - Stang
HB 703 - Bradley
HB 728 - Ream
HB 746 - Russell
HB 760 - Kimberley
HB 777 - Quilici
HB 842 - Connelly
HB 937 - Stickney
HB 940 - Wanzenried
HB 942 - G. Beck
HB 964 - O'Keefe
HB 968 - Brooke
HB 978 - Phillips
HB 1010 - D. Brown

Delivered to the Secretary of State at 8:25 a.m., 4/18/91: HJR 9, HJR 13, HJR 35, HJR 39, HJR 40.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):
4/18/91

HB 1013, introduced bill, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 719
Report No. 1, April 17, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered House Bill 719 and recommend that House Bill 719 (reference copy -- salmon) be amended as follows:

1. Title, line 7.
Strike: "AND"

2. Title, line 8.
Following: "MCA"
Insert: "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 3, line 7.
Strike: "LICENSED"

4. Page 3, line 8.
Following: "CHIROPRACTOR"
Insert: "engaged in the practice of chiropractic in Montana"

5. Page 3, line 14.

Strike: "MEDICINE"
Following: "."
Insert: "During an appeal or redetermination, the patient may, at his expense, request an independent review of the patient's or the chiropractor's records by a chiropractor engaged in the practice of chiropractic in Montana and may require that review to be considered by the insurer in reaching its decision. If the initial adverse determination of medical necessity or appropriateness is reversed, the insurer shall bear the expense of the independent review."

6. Page 5, line 13.
Following: line 12
Insert: "(5) This code does not apply to workers' compensation insurance programs provided for in Title 39, chapter 71, parts 21 and 23, and related sections."
Renumber: subsequent subsections

7. Page 6, line 11.
Following: line 10
Insert: "NEW SECTION. Section 4. Effective date. [This act] is effective July 1, 1991."

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
D. Brown, Chair	Lynch, Chair
Larson	Vaughn
J. Rice	Thayer

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 18, 1991

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 514, "~~AN ACT FREEZING~~ ADJUSTING ~~THE STATEWIDE SALARY SCHEDULES FOR STATE EMPLOYEES AND PROVIDING AN ACROSS THE BOARD~~ FLAT $1 AN HOUR ~~PAY INCREASE TO~~ ALL ~~STATE EMPLOYEES AND PROVIDING AN ACROSS THE BOARD FLAT $1 AN HOUR PAY INCREASE TO ALL STATE EMPLOYEES ON THE STATEWIDE PAY PLAN FOR EACH YEAR OF THE BIENNIUM; PROVIDING FOR~~ THAT

~~SHIFT DIFFERENTIAL PAY AND HAZARDOUS DUTY PAY FOR STATE EMPLOYEES MAY BE NEGOTIATED BY AGENCY; REPEALING THE STATEWIDE CLASSIFICATION SYSTEM AND MANDATING THAT ALL POSITION CLASSIFICATIONS BE NEGOTIATED; PROVIDING THAT AGENCIES MAY NEGOTIATE SEPARATE PAY PLANS; PROVIDING INCREASES TO EMPLOYER CONTRIBUTIONS TO GROUP BENEFITS; REPEALING THE TEACHERS' PAY SCHEDULES AND PROVIDING THAT THE DEPARTMENT OF INSTITUTIONS AND THE DEPARTMENT OF FAMILY SERVICES ADOPT PAY SCHEDULES FOR THEIR TEACHERS THAT ARE EQUAL TO THE PAY SCHEDULES OF TEACHERS IN LOCAL SCHOOL DISTRICTS; PROVIDING AN APPROPRIATION; AMENDING SECTIONS 2-18-104, 2-18-204, 2-18-301, 2-18-303, 2-18-384, 2-18-305 2-18-312, 2-18-313, 2-18-314, 2-18-315, AND 2-18-703, MCA; REPEALING SECTIONS 2-18-201, 2-18-202, 2-18-203, 2-18-205, 2-18-207, 2-18-208, 2-18-209, 2-18-301, AND 2-18-313, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE~~ AN ACT ADJUSTING THE SALARIES OF STATE EMPLOYEES IN EACH YEAR OF THE BIENNIUM; MANDATING THAT EACH AGENCY NEGOTIATE SHIFT DIFFERENTIALS AND HAZARDOUS DUTY PAY WITH EMPLOYEES; PROVIDING INCREASES TO EMPLOYER CONTRIBUTIONS TO GROUP BENEFITS; SPECIFYING A PAY GRADE FOR MEMBERS OF THE STATE TAX APPEAL BOARD; PROVIDING AN APPROPRIATION; AMENDING SECTIONS 2-18-301, 2-18-303, 2-18-312, 2-18-313, 2-18-314, 2-18-315, ~~AND~~ 2-18-703, AND 15-2-102, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

At the beginning of this legislative session, the administration presented lawmakers with a well reasoned, fully funded pay plan proposal for state employees which surpassed any pay proposal submitted since 1981. The administration's pay plan design was based on information developed by an 18 month study conducted by a bi-partisan public/private committee authorized by the 1989 Legislature and appointed by the Governor. It provided an average 10% increase in wages and benefits for state workers over the biennium. It distributed the wage and salary increases among state workers on a market-based pay plan concept. This distribution method gives greater increases to workers whose current wage and salary levels are below those paid by the market for similar work and duties.

House Bill 514 was presented as the legislative alternative to the administration's pay plan. Its history and development involved none of the research and reasoning which was put into the administration's proposal. It began as a hastily conceived "$1 an hour increase" which legislative leaders from the majority party almost immediately admitted was too costly. They also agreed that it lacked the structure to address the shortcomings in the state's current pay plan system. The Montana Senate pared the proposal back to a 60 cent an hour increase, but still failed to institute the full market-based concept which the study committee and this administration have deemed as essential to stop the "brain drain" from state government and enhance our ability to attract and retain quality professionals for public service.

We agree with veteran House member Francis Bardanouve who labeled House Bill 514 as a "cruel joke" on state employees. It is a bill with many failings which does not address the ongoing needs of state employees. It

offers a pay increase but it presents no pay plan. It ignores prevailing wage rates by its disregard for the market-based pay plan concept and by continuing to use the state's obsolete 13-step pay matrix. It provides the largest percentage increases to both ends of the pay scale while avoiding the needs of state employees in the middle. Those in middle management positions or those who provide essential technical skills receive the lowest pay increase despite the fact that the study committee identified these workers as needing the largest pay boost. Again, House Bill 514 fails to recognize the reality of the problems in the state pay plan system and the reasoned approaches available in the administration's plan.

In addition to these failures, HB 514 mandates that each agency negotiate with its employees over shift differential and hazardous duty pay, regardless of whether those employees wish to do so. It also strikes historical language which mandates that members of a bargaining unit must ratify new collective bargaining agreements before they receive pay increases. Striking this language tips the scales in the collective bargaining process and inappropriately separates wage benefits from all other issues involved in this process. In the private sector, the granting of increases prior to agreement would be an unfair labor practice. State government should not be required to operate in an unfair way. There are numerous other technical problems with the bill which are addressed by amendments attached to this message.

House Bill 514 will cost Montana taxpayers $40 million. This is about $12 million more than the administration's pay plan, which was funded with revenues available to the state without having to increase taxes. Despite costing less, the administration's pay plan proposal does more good for state workers than the more expensive House plan which only continues the pay plan problems into the next biennium. The problems are not being fixed; they are being made worse by this legislative plan.

I want to provide the legislature with an opportunity to consider a reasonable pay plan for state workers which is affordable to Montana's taxpayers. I am offering a series of amendments to address the fundamental flaws I have listed above. I ask that lawmakers take this opportunity to adopt a plan based on the sound reasoning and management policies the administration and others have provided. Using these tools, lawmakers can join the administration in rewarding our very deserving public workers in a manner which serves them well and respects Montana's taxpayers.

I urge your concurrence with these amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 514
(REFERENCE COPY, AS AMENDED)
April 18, 1991

1. Title, lines 17 and 18.
Following: ";" on line 17
Strike: "MANDATING" through "EMPLOYEES" on line 18
Insert: "ARTICULATING A MARKET-BASED PAY PHILOSOPHY"

2. Title, line 20.
Following: "SECTIONS"
Insert: "2-18-101, 2-18-103,"
Following: "2-18-303,"
Insert: "2-18-304, 2-18-305,"

3. Title line 21.
Following: "2-18-703,"
Insert: "5-2-301,"

4. Title, line 21.
Following: "PROVIDING"
Strike: "AN IMMEDIATE EFFECTIVE DATE"
Insert: "EFFECTIVE DATES"

5. Page 1.
Following: line 23
Strike: everything after the enacting clause
Insert: "STATEMENT OF INTENT

In order to recruit and retain competent and qualified public employees to perform required services for the state, it is the intent of the legislature to provide for a state employee compensation system based on the prevailing compensation practices found in relevant public sector and private sector labor markets.

To achieve this goal, 2-18-301 requires that the department of administration provide a salary survey report to the legislature. The report may include but is not limited to:

(1) data showing the average salaries paid to employees in Montana's labor market for comparable positions;

(2) recommendations for administering the pay increases provided in 2-18-303; and

(3) recommendations for adjusting the pay schedules provided in 2-18-312 in order to maintain an internally equitable and competitive salary structure for Montana state employees.

Labor markets relevant to state employees must have positions comparable to those in Montana state government and must compete with state government for qualified employees."

Section 1. Section 2-18-101, MCA, is amended to read:

"2-18-101. Definitions. As used in parts 1 through 3 and part 10 of this chapter, the following definitions apply:

(1) "Agency" means a department, board, commission, office, bureau, institution, or unit of state government recognized in the state budget.

(2) "Base salary" means the amount of compensation paid to an employee, excluding:

(a) state contributions to group benefits provided in 2-18-703;

(b) overtime;

(c) fringe benefits as defined in 39-2-903; and

(d) the longevity allowance provided in 2-18-304.

~~(2)~~(3) "Board" means the board of personnel appeals established in 2-15-1705.

~~(3)~~(4) "Class" means one or more positions substantially similar with respect to the kind or nature of duties performed, responsibility assumed, and level of difficulty so that the same descriptive title may be used to designate each position allocated to the class, similar qualifications may be required of persons appointed to the positions in the class, and the same pay rate or pay grade may be applied with equity.

~~(4)~~(5) "Class specification" means a written descriptive statement of the duties and responsibilities characteristic of a class of positions and includes the education, experience, knowledge, skills, abilities, and qualifications necessary to perform the work of the class.

~~(5)~~(6) "Compensation" means the annual or hourly wage or salary and includes the state contribution to group benefits under provisions of 2-18-703.

~~(6)~~(7) "Department" means the department of administration created in 2-15-1001.

~~(7)~~(8) Except in 2-18-306, "employee" means any state employee other than an employee excepted under 2-18-103 or 2-18-104 from the statewide classification system.

(9) "Entry salary" means the entry-level base salary for each grade provided in 2-18-312.

~~(8)~~(10) "Grade" means the number assigned to a pay range within a pay schedule in part 3 of this chapter.

~~(9)~~(11) "Job sharing" means the sharing by two or more persons of a position that is considered an aggregate or permanent position.

(12) "Market salary" means the average base salary that other employers pay to employees in occupations comparable to occupations in a grade provided in 2-18-312, as determined by the department's salary survey of the relevant labor market.

~~(10)~~(13) "Permanent position" means a position so designated on the appropriate agency list of authorized positions referenced in 2-18-206 and approved as such in the biennium budget.

~~(11)~~(14) "Permanent status" means the state an employee attains after satisfactorily completing an appropriate probationary period in a permanent position.

~~(12)~~(15) "Personal staff" means those positions occupied by employees appointed by the elected officials enumerated in Article VI, section 1, of the Montana constitution or by the public service commission as a whole.

~~(13)~~(16) "Position" means a collection of duties and responsibilities currently assigned or delegated by competent authority, requiring the full-time, part-time, or intermittent employment of one person.

~~(14)~~(17) "Program" means a combination of planned efforts to provide a service.

~~(15)~~(18) "Seasonal position" means a position so designated on the appropriate agency list of authorized positions referenced in 2-18-206 and which is a permanent position but which is interrupted by the seasonal nature of the position.

~~(16)~~(19) "Temporary position" means a position so designated on the appropriate agency list of authorized positions referenced in 2-18-206, created for a definite period of time not to exceed 9 months."

Section 2. Section 2-18-103, MCA, is amended to read:

"2-18-103. Officers and employees excepted. Parts 1 and 2 do not apply to the following positions in state government:

(1) elected officials;

(2) county assessors and their chief deputy;

(3) officers and employees of the legislative branch;

(4) judges and employees of the judicial branch;

(5) members of boards and commissions appointed by the governor, the legislature, or other elected state officials;

(6) officers or members of the militia;

(7) agency heads appointed by the governor;

(8) academic and professional administrative personnel with individual contracts under the authority of the board of regents of higher education;

(9) academic and professional administrative personnel and live-in houseparents who have entered into individual contracts with the state school for the deaf and blind under the authority of the state board of public education;

(10) teachers under the authority of the department of institutions or family services;

(11) investment officer, assistant investment officer, executive director, and three professional staff positions of the board of investments;

(12) four professional staff positions under the board of oil and gas conservation;

(13) assistant director for security of the Montana state lottery;

(14) executive director and senior investment officer of the Montana board of science and technology development; and

(15) executive director ~~and employees~~ of the state compensation mutual insurance fund."

Section 3. Section 2-18-301, MCA, is amended to read:

"2-18-301. Purpose and intent of part -- rules. (1) The purpose of this part is to provide the market-based compensation necessary to attract and retain competent and qualified employees in order to perform the services the state is required to provide to its citizens.

(2) It is the intent of the legislature that~~, for the biennium ending June 30, 1991, the:~~ compensation plans for state employees, excluding those employees excepted under 2-18-103 or 2-18-104, be based on an analysis of the labor market as provided by the department in a salary survey report to the legislature at the start of each legislative session.

~~(a)~~(3) ~~pay~~ Pay schedules provided for in 2-18-312 through 2-18-315 supersede any other plan or systems established through collective bargaining after the adjournment of the ~~51st~~ 52nd legislature~~;~~.

~~(b)~~(4) ~~pay~~ Pay levels provided for in 2-18-312 through 2-18-315 may not be increased through collective bargaining after adjournment of the ~~51st~~ 52nd legislature~~; and~~.

~~(c)~~(5) ~~total~~ Total funds required to implement the pay schedules provided for in 2-18-312 through 2-18-315 for any employee group or bargaining unit may not be increased through collective bargaining over the amount appropriated by the ~~51st~~ 52nd legislature.

~~(3)~~(6) The department shall administer the pay program established by the legislature on the basis of merit, internal equity, and competitiveness to external labor markets when fiscally able.

~~(4)~~(7) The department may promulgate rules not inconsistent with the provisions of this part, collective bargaining statutes, or negotiated contracts to carry out the purposes of this part."

Section 4. Section 2-18-303, MCA, is amended to read:

"2-18-303. Procedures for utilizing pay schedules. (1) The pay schedules provided in 2-18-312 must be implemented as follows:

(a) The pay schedules provided in 2-18-312 indicate the ~~annual compensation~~ entry salary and market salary for the fiscal years ending June 30, ~~1990~~ 1992, and June 30, ~~1991~~ 1993, for each grade ~~and step~~ for positions classified under the provisions of part 2 of this chapter.

(b) Each ~~new~~ employee ~~shall advance from step 1 to step 2 of a grade after successfully completing 6 months of probationary service. The anniversary date of an employee must be established at the end of the probationary period in accordance with rules promulgated by the department~~ newly hired by the state of Montana must be hired at the entry rate, except as provided in subsections (7) and (8).

(c) ~~(i) The compensation of each employee~~ Except as provided in subsection (1)(f), on the first day of the first complete pay period in fiscal year ~~1990~~ 1992, ~~is that amount corresponding to the grade and step occupied~~ each employee hired before July 1, 1991, is entitled to the amount of his base salary as it was on ~~the last day of fiscal year 1989.~~ June 30, 1991, plus the following increases:

(i) an increase of 3% of the employee's base salary, as it was on June 30, 1991; and

(ii) an additional increase of 1/8 of 1% of his base salary as it was before the 3% increase, for each full percentage point that the employee's base salary, as it was before the 3% increase, is below the market salary for the employee's assigned grade.

~~(ii)~~(d) ~~The compensation of each employee~~ Except as provided in subsection (1)(f), on the first day of the first pay period in fiscal year ~~1991~~ 1993, ~~is that amount corresponding to the grade and step occupied~~ each employee hired before July 1, 1992,

is entitled to the amount of his base salary as it was on ~~the last day of fiscal year 1990.~~ June 30, 1992, plus the following increases:

(i) an increase of 3% of the employee's base salary, as it was on June 30, 1992; and

(ii) an additional increase of 1/8 of 1% of his base salary as it was before the 3% increase, for each full percentage point that his base salary, as it was before the 3% increase, is below the market salary for the employee's assigned grade.

(e) The department shall determine the number of full percentage points that an employee's base salary is below the market salary by dividing the employee's base salary by the market salary for his assigned grade, multiplying the result by 100, and subtracting that total from 100.

(f) An employee's base salary may be no less than the entry salary for his assigned grade.

(g) Except as provided in subsections (5) through (8), an employee's base salary may not exceed the market salary by a percentage greater than the percentage that the market salary for the employee's grade exceeds the entry salary for that grade.

(2) The pay schedules provided in 2-18-312 and the provisions of subsection (1) do not apply to those teachers, liquor store occupations, or blue-collar occupations compensated under the pay schedules provided in 2-18-313 through 2-18-315.

(3) The pay schedules provided in 2-18-313 through 2-18-315 must be implemented as follows:

(a) (i) The pay schedules provided for in 2-18-313 indicate the annual compensation for the contracted school term for teachers employed under the authority of the department of institutions or the department of family services for fiscal years ~~1990~~ 1992 and ~~1991~~ 1993.

~~(ii) On the first day of the first pay period in July 1989, each teacher shall advance three steps on the appropriate pay schedule for fiscal year 1990 from the step that he occupied on June 30, 1989.~~

~~(iii)~~(ii) The compensation of each teacher on the first day of the first pay period in July ~~1990~~ 1991 is that amount corresponding to ~~his~~ the teacher's level of academic achievement and the step occupied on June 30, ~~1990~~ 1991.

(iii) The compensation of each teacher on the first day of the first pay period in July 1992 is that amount shown in 2-18-313 that corresponds to the teacher's level of academic achievement and the step occupied on June 30, 1992.

(b) (i) The pay schedules provided in 2-18-314 indicate the maximum hourly compensation for fiscal years ending June 30, ~~1990~~ 1992, and June 30, ~~1991~~ 1993, for those employees in liquor store occupations who have collectively bargained separate classification and pay plans.

(ii) The compensation of each employee on the first day of the first pay period in fiscal year ~~1990~~ 1992 or ~~1991~~ 1993 is that amount corresponding to the grade occupied on the last day of the preceding fiscal year.

(c) (i) The pay schedules provided in 2-18-315 indicate the maximum hourly compensation for fiscal years ending June 30, ~~1990~~ 1992, and June 30, ~~1991~~ 1993, for employees in apprentice trades and crafts and other blue-collar occupations recognized in the state blue-collar classification plan who are members of units that have collectively bargained separate classification and pay plans.

(ii) The compensation of each employee on the first day of the first pay period in fiscal year ~~1990~~ 1992 or ~~1991~~ 1993 is that amount corresponding to the grade occupied on the last day of the preceding fiscal year.

(4) (a) (i) A member of a bargaining unit may not receive the amounts indicated in the respective pay schedules provided in 2-18-312 through 2-18-315 until the bargaining unit of which he is a member ratifies a completely integrated collective bargaining agreement covering the biennium ending June 30, ~~1991~~ 1993.

(ii) If negotiation and ratification of a completely integrated collective bargaining agreement as required by subsection (4)(a)(i) are not completed by July 1, ~~1989~~ 1991, retroactivity to that date may be negotiated.

(iii) If negotiation and ratification of a completely integrated collective bargaining agreement as required by subsection (4)(a)(i) are not completed by July 1, ~~1989~~ 1991, members of the bargaining unit involved must continue to receive the compensation they were receiving as of June 30, ~~1989~~ 1991.

(b) Methods of administration not inconsistent with the purpose of this part and necessary to properly implement the pay schedules provided in 2-18-312 through 2-18-315 may be provided for in collective bargaining agreements.

(5) The current wage or salary of an employee may not be reduced by the implementation of the pay schedules provided for in 2-18-312 through 2-18-315.

(6) The department may authorize a separate pay schedule for medical doctors if the rates provided in 2-18-312 are not sufficient to attract and retain fully licensed and qualified physicians at the state institutions.

(7) The department may develop programs that enable the department to mitigate problems associated with difficult recruitment, retention, transfer, or other exceptional circumstances. Insofar as the program may apply to employees within a collective bargaining unit, it is a negotiable subject under 39-31-305.

(8) The department shall review the competitiveness of the compensation provided to ~~registered nurses and other~~ all occupations under this part. If the department finds that substantial problems exist with recruitment and retention because of inadequate salaries when compared to competing employers, the department may establish criteria allowing an adjustment in pay or classification to mitigate the problems. Insofar as these adjustments may apply to employees within a collective bargaining unit, the implementation of these adjustments is a negotiable subject under 39-31-305."

Section 5. Section 2-18-304, MCA, is amended to read:

"2-18-304. Longevity allowance. (1) [a] In addition to the compensation provided for in 2-18-312, 2-18-313, 2-18-314, or 2-18-315, each employee who has completed 5 years of uninterrupted state service shall receive the ~~larger~~ greater of:

[i] $10 a month; or

[ii] ~~10%~~ 9/10 of 1% of ~~the difference between~~ the employee's base salary ~~compensation for his grade and step (where applicable) and the base compensation for the next highest grade and corresponding step (where applicable)~~ multiplied by the number of completed, contiguous 5-year periods of uninterrupted state service.

[b] Service to the state is not interrupted by authorized leaves of absence.

(2) (a) For the purpose of determining years of service under this section, an employee must be credited with 1 year of service for each period of:

(i) 2,080 hours of service following his date of employment; an employee must be credited with 80 hours of service for each biweekly pay period in which he is in a pay status or on an authorized leave of absence without pay, regardless of the number of hours of service in the pay period; or

(ii) 12 uninterrupted calendar months following his date of employment in which he was in a pay status or on an authorized leave of absence without pay, regardless of the number of hours of service in any one month. An employee of a school at a state institution or the university system must be credited with 1 year of service if he is employed for an entire academic year.

(b) State agencies, other than the university system and a school at a state institution, shall use the method provided in subsection (2)(a)(i) to calculate years of service under this section."

Section 6. Section 2-18-305, MCA, is amended to read:

"2-18-305. Allocation between wages and group benefits. (1) The dollar amounts shown in the respective pay schedules provided in 2-18-312, 2-18-313, 2-18-314, or 2-18-315~~, as the case may be,~~ represent the maximum amount allocated by the state for wages ~~and group benefits~~, exclusive of longevity as defined in 2-18-304. Except as provided in subsection (2) of this section, ~~that~~ the amount specifically allocated for group benefits ~~shall~~ must be determined by 2-18-703. An employee who elects not to be covered by a state employee group benefit plan ~~will~~ shall receive as wages the amount shown in the appropriate pay schedule ~~less the state contribution for group benefits as determined by 2-18-703~~.

(2) Employees may, through collective bargaining, determine the allocation ~~of the amounts shown in the pay schedules provided in 2-18-312, 2-18-313, 2-18-314, or 2-18-315, as the case may be,~~ between wages and group benefits, except that in no case may the group benefits allocation be less than the amounts provided in 2-18-703."

Section 7. Section 2-18-312, MCA, is amended to read:

"2-18-312. Statewide pay schedules for fiscal years ~~1990~~ 1992 and ~~1991~~ 1993. (1) The statewide classification pay schedule for fiscal year ~~1990~~ 1992 is as follows:

Annual Hours -- 2080 Note: ~~Includes~~ Does Not Include Insurance

Pay Matrix -- State Matrix Type -- Annual

~~STEP~~

~~RADE 1 2 3 4 5 6 7 8 9 10 11 12~~

~~10,132 10,830 11,041 11,247 11,457 11,671 11,890 12,113 12,340 12,572 12,800 13,050 13,5~~

~~10,614 11,357 11,560 11,786 12,007 12,232 12,462 12,696 12,935 13,179 13,428 13,682 14,2~~

~~11,138 11,921 12,145 12,373 12,606 12,843 13,085 13,332 13,584 13,841 14,103 14,370 14,9~~

~~11,711 12,537 12,773 13,014 13,259 13,509 13,764 14,024 14,290 14,561 14,837 15,119 15,6~~

~~12,343 13,216 13,466 13,721 13,981 14,246 14,516 14,792 15,073 15,360 15,652 15,950 16,5~~

~~13,035 13,960 14,224 14,494 14,769 15,050 15,336 15,628 15,926 16,230 16,540 16,856 17,5~~

~~13,802 14,785 15,066 15,353 15,645 15,943 16,247 16,557 16,873 17,196 17,525 17,861 18,5~~

~~14,629 15,674 15,973 16,278 16,589 16,906 17,229 17,559 17,895 18,238 18,588 18,945 19,6~~

~~15,547 16,662 16,980 17,305 17,636 17,974 18,319 18,671 19,030 19,396 19,769 20,150 20,9~~

~~16,553 17,743 18,083 18,430 18,784 19,145 19,513 19,888 20,271 20,662 21,060 21,466 22,2~~

~~17,652 18,925 19,289 19,660 20,038 20,424 20,818 21,220 21,630 22,048 22,474 22,909 23,7~~

~~18,868 20,233 20,623 21,021 21,427 21,841 22,263 22,693 23,132 23,580 24,037 24,503 25,4~~

~~20,204 21,669 22,088 22,515 22,951 23,395 23,848 24,310 24,788 25,281 25,783 26,295 27,3~~

~~21,880 23,471 23,926 24,390 24,872 25,366 25,870 26,384 26,909 27,444 27,991 28,547 29,6~~

~~23,625 25,369 25,873 26,388 26,912 27,447 27,994 28,550 29,118 29,697 30,289 30,891 32,1~~

~~25,613 27,529 28,077 28,635 29,205 29,786 30,379 30,984 31,601 32,230 32,872 33,527 34,8~~

~~27,787 29,867 30,462 31,060 31,687 32,317 32,961 33,617 34,286 34,969 35,665 36,375 37,8~~

~~30,100 32,451 33,097 33,756 34,429 35,114 35,813 36,527 37,255 37,997 38,754 39,526 41,1~~

~~32,831 35,291 35,994 36,710 37,441 38,187 38,948 39,724 40,515 41,323 42,146 42,986 42,9~~

~~35,714 38,391 39,156 39,936 40,731 41,543 42,371 43,216 44,077 44,955 45,851 45,851 45,8~~

~~38,885 41,802 42,635 43,485 44,352 45,236 46,138 47,058 47,996 48,953 48,953 48,953 48,9~~

~~42,366 45,544 46,452 47,379 48,324 49,287 50,270 51,273 52,295 52,295 52,295 52,295 52,2~~

~~46,174 49,639 50,620 51,638 52,669 53,719 54,790 55,883 55,883 55,883 55,883 55,883 55,8~~

~~50,358 54,137 55,218 56,320 57,443 58,589 59,757 59,757 59,757 59,757 59,757 59,757 59,7~~

~~54,953 59,079 60,258 61,460 62,686 63,936 63,936 63,936 63,936 63,936 63,936 63,936 63,9~~

Pay Range: Entry Salary to Market Salary

GRADE	ENTRY SALARY	MARKET SALARY
1	8,426	9,913
2	9,077	10,704
3	9,777	11,557
4	10,536	12,484
5	11,385	13,522
6	12,303	14,647
7	13,289	15,858
8	14,404	17,230
9	15,596	18,701
10	16,916	20,332
11	18,353	22,112
12	19,946	24,090
13	21,674	26,240
14	23,588	28,626
15	25,694	31,258
16	28,044	34,200

17	30,665	37,488
18	33,555	41,122
19	36,793	45,201
20	40,406	49,761
21	44,421	54,841
22	48,906	60,527
23	53,965	66,954
24	59,645	74,185
25	65,930	82,206

(2) The statewide classification pay schedule for fiscal year ~~1991~~ 1993 is as follows:

Annual Hours -- 2080 Note: ~~Includes~~ Does Not Include Insurance

Pay Matrix -- State Matrix Type -- Annual

~~STEP~~

~~DE 1 2 3 4 5 6 7 8 9 10 11 12 13~~
~~,032 11,630 11,841 12,047 12,257 12,471 12,600 12,913 13,140 13,372 13,600 13,850 14,342~~
~~,414 12,157 12,360 12,586 12,807 13,032 13,262 13,496 13,735 13,979 14,228 14,482 15,000~~
~~,038 12,721 12,945 13,173 13,406 13,643 13,885 14,132 14,384 14,641 14,003 15,170 15,715~~
~~,511 13,337 13,573 13,814 14,059 14,300 14,564 14,824 15,090 15,361 15,637 15,919 16,494~~
~~,143 14,016 14,266 14,521 14,781 15,046 15,316 15,592 15,873 16,160 16,452 16,750 17,358~~
~~,835 14,760 15,024 15,294 15,569 15,850 16,136 16,428 16,726 17,030 17,340 17,656 18,301~~
~~,602 15,585 15,866 16,153 16,445 16,743 17,047 17,357 17,673 17,996 18,325 18,661 19,346~~
~~,420 16,474 16,773 17,078 17,380 17,706 18,020 18,350 18,695 19,038 19,388 19,745 20,473~~
~~,347 17,462 17,780 18,105 18,436 18,774 19,119 19,471 19,830 20,196 20,569 20,950 21,726~~
~~,353 18,543 18,883 19,230 19,584 19,945 20,313 20,688 21,071 21,462 21,860 22,266 23,095~~
~~,452 19,725 20,089 20,460 20,838 21,224 21,618 22,020 22,430 22,848 23,274 23,700 24,596~~
~~,668 21,033 21,423 21,821 22,227 22,641 23,063 23,493 23,932 24,380 24,839 25,317 26,315~~
~~,004 22,460 22,888 23,315 23,751 24,195 24,648 25,110 25,600 26,114 26,629 27,153 28,226~~
~~,680 24,271 24,726 25,201 25,695 26,201 26,718 27,245 27,783 28,331 28,892 29,462 30,626~~
~~,425 26,204 26,721 27,240 27,786 28,334 28,895 29,465 30,047 30,640 31,247 31,864 33,125~~
~~,454 28,418 28,980 29,552 30,136 30,732 31,330 31,960 32,592 33,237 33,895 34,566 35,935~~
~~,683 30,815 31,425 32,047 32,680 33,326 33,986 34,658 35,344 36,044 36,758 37,485 38,072~~
~~,146 33,463 34,125 34,801 35,491 36,193 36,909 37,641 38,387 39,148 39,924 40,715 42,330~~
~~,853 36,374 37,005 37,820 38,578 39,343 40,123 40,918 41,720 42,557 43,401 44,262 44,262~~
~~,808 30,552 40,336 41,135 41,950 42,783 43,631 44,497 45,380 46,280 47,198 47,198 47,198~~
~~,058 43,048 43,902 44,773 45,662 46,568 47,492 48,435 49,397 50,378 50,378 50,378 50,378~~
~~,626 46,884 47,814 48,764 49,733 50,720 51,728 52,756 53,803 53,803 53,803 53,803 53,803~~
~~,520 51,081 52,096 53,130 54,187 55,263 56,361 57,481 57,481 57,481 57,481 57,481 57,481~~
~~,818 55,691 56,790 57,920 59,080 60,255 61,452 61,452 61,452 61,452 61,452 61,452 61,452~~
~~,528 60,757 61,965 63,198 64,454 65,735 65,735 65,735 65,735 65,735 65,735 65,735 65,735~~

Pay Range: Entry Salary to Market Salary

GRADE	ENTRY SALARY	MARKET SALARY
1	8,679	10,210
2	9,349	11,025
3	10,070	11,903
4	10,852	12,858
5	11,727	13,927
6	12,672	15,086
7	13,688	16,334

8	14,836	17,747
9	16,064	19,262
10	17,424	20,942
11	18,904	22,775
12	20,545	24,812
13	22,325	27,027
14	24,295	29,485
15	26,465	32,196
16	28,885	35,226
17	31,585	38,613
18	34,562	42,355
19	37,897	46,557
20	41,618	51,254
21	45,754	56,487
22	50,373	62,343
23	55,584	68,963
24	61,434	76,410
25	67,907	84,673"

Section 8. Section 2-18-313, MCA, is amended to read:

"2-18-313. Teachers' pay schedules. (1) (a) The 12-month pay schedule for teachers for fiscal year ~~1990~~ 1992 is as follows:

Annual Hours -- 2080 Note: ~~Includes~~ Does Not Include Insurance

Term -- Twelve Months Matrix Type -- Annual

Education Level

~~STEP~~	~~BA~~	~~BA+1~~	~~BA+2~~	~~BA+3~~	~~MA~~	~~MA+1~~
~~1~~	~~21,228~~	~~21,870~~	~~22,529~~	~~22,850~~	~~23,173~~	~~23,832~~
~~2~~	~~21,983~~	~~22,699~~	~~23,416~~	~~23,775~~	~~24,134~~	~~24,859~~
~~3~~	~~22,738~~	~~23,529~~	~~24,302~~	~~24,706~~	~~25,110~~	~~25,905~~
~~4~~	~~23,494~~	~~24,362~~	~~25,206~~	~~25,652~~	~~26,097~~	~~26,949~~
~~5~~	~~24,247~~	~~25,206~~	~~26,115~~	~~26,598~~	~~27,084~~	~~27,995~~
~~6~~	~~25,016~~	~~26,060~~	~~27,027~~	~~27,548~~	~~28,071~~	~~29,041~~
~~7~~	~~25,786~~	~~26,908~~	~~27,934~~	~~28,496~~	~~29,056~~	~~30,083~~
~~8~~	~~26,561~~	~~27,760~~	~~28,847~~	~~29,446~~	~~30,045~~	~~31,127~~
~~9~~	~~27,335~~	~~28,610~~	~~29,756~~	~~30,392~~	~~31,033~~	~~32,172~~
~~10~~	~~28,108~~	~~29,464~~	~~30,664~~	~~31,340~~	~~32,018~~	~~33,218~~
~~11~~	~~28,884~~	~~30,286~~	~~31,571~~	~~32,288~~	~~33,005~~	~~34,260~~
~~12~~	~~28,884~~	~~30,286~~	~~31,571~~	~~32,288~~	~~33,005~~	~~34,260~~
~~13~~	~~28,884~~	~~30,286~~	~~31,571~~	~~32,288~~	~~33,005~~	~~34,260~~

Steps	BA	BA+1	BA+2	BA+3	MA	MA+1
1	20,835	21,496	22,175	22,506	22,838	23,517
2	21,612	22,350	23,088	23,458	23,832	24,597
3	22,390	23,205	24,010	24,437	24,863	25,703
4	23,169	24,073	24,964	25,435	25,905	26,805
5	23,952	24,964	25,924	26,434	26,947	27,909
6	24,763	25,866	26,887	27,437	27,989	29,013
7	25,577	26,761	27,844	28,437	29,028	30,113
8	26,395	27,661	28,808	29,440	30,073	31,215
9	27,208	28,558	29,768	30,440	31,116	32,318
10	28,028	29,460	30,727	31,441	32,156	33,422

11	28,847	30,327	31,684	32,441	33,198	34,524
12	28,847	30,327	31,684	32,441	33,198	34,524
13	28,847	30,327	31,684	32,441	33,198	34,524

(b) The 9-month pay schedule for teachers for fiscal year ~~1990~~ 1992 is as follows:

Annual Hours -- 1480 Note: ~~Includes~~ Does Not Include Insurance
Term -- Nine Months Matrix Type -- Annual
Education Level

~~STEP~~	~~BA~~	~~BA+1~~	~~BA+2~~	~~BA+3~~	~~MA~~	~~MA+1~~
~~1~~	~~16,451~~	~~16,933~~	~~17,427~~	~~17,668~~	~~17,910~~	~~18,404~~
~~2~~	~~17,017~~	~~17,554~~	~~18,092~~	~~18,361~~	~~18,631~~	~~19,168~~
~~3~~	~~17,583~~	~~18,176~~	~~18,757~~	~~19,056~~	~~19,352~~	~~19,933~~
~~4~~	~~18,151~~	~~18,801~~	~~19,422~~	~~19,749~~	~~20,074~~	~~20,697~~
~~5~~	~~18,715~~	~~19,422~~	~~20,087~~	~~20,441~~	~~20,796~~	~~21,463~~
~~6~~	~~19,283~~	~~20,047~~	~~20,755~~	~~21,136~~	~~21,518~~	~~22,228~~
~~7~~	~~19,846~~	~~20,667~~	~~21,418~~	~~21,829~~	~~22,239~~	~~22,990~~
~~8~~	~~20,414~~	~~21,291~~	~~22,086~~	~~22,524~~	~~22,963~~	~~23,754~~
~~9~~	~~20,980~~	~~21,913~~	~~22,751~~	~~23,217~~	~~23,685~~	~~24,519~~
~~10~~	~~21,546~~	~~22,537~~	~~23,416~~	~~23,910~~	~~24,406~~	~~25,304~~
~~11~~	~~22,113~~	~~23,139~~	~~24,079~~	~~24,606~~	~~25,144~~	~~26,085~~
~~12~~	~~22,113~~	~~23,139~~	~~24,079~~	~~24,606~~	~~25,144~~	~~26,085~~
~~13~~	~~22,113~~	~~23,139~~	~~24,079~~	~~24,606~~	~~25,144~~	~~26,085~~

Steps	BA	BA+1	BA+2	BA+3	MA	MA+1
1	15,915	16,411	16,920	17,168	17,417	17,926
2	16,498	17,051	17,605	17,882	18,160	18,713
3	17,080	17,691	18,290	18,598	18,903	19,501
4	17,666	18,335	18,975	19,311	19,646	20,288
5	18,246	18,975	19,660	20,024	20,390	21,077
6	18,831	19,618	20,348	20,740	21,134	21,865
7	19,411	20,257	21,031	21,454	21,876	22,650
8	19,996	20,900	21,719	22,170	22,622	23,437
9	20,579	21,540	22,404	22,884	23,366	24,239
10	21,162	22,183	23,088	23,597	24,120	25,068
11	21,746	22,803	23,774	24,331	24,899	25,892
12	21,746	22,803	23,774	24,331	24,899	25,892
13	21,746	22,803	23,774	24,331	24,899	25,892

(Note: Nine-month teachers are paid additional compensation for holidays and annual leave days that they accumulate in excess of 1480 hours per year. Dollar amounts vary depending on individual annual leave accrual and actual hours worked.)

(2) (a) The 12-month pay schedule for teachers for fiscal year ~~1991~~ 1993 is as follows:

Annual Hours -- 2080 Note: ~~Includes~~ Does Not Include Insurance
Term -- Twelve Months Matrix Type -- Annual
Education Level

~~STEP~~	~~BA~~	~~BA+1~~	~~BA+2~~	~~BA+3~~	~~MA~~	~~MA+1~~

~~1 22,028 22,670 23,329 23,650 23,973 24,632~~
~~2 22,783 23,499 24,216 24,575 24,938 25,681~~
~~3 23,538 24,329 25,111 25,525 25,939 26,754~~
~~4 24,294 25,172 26,037 26,494 26,950 27,824~~
~~5 25,054 26,037 26,969 27,464 27,962 28,896~~
~~6 25,842 26,913 27,904 28,438 28,974 29,968~~
~~7 26,632 27,782 28,833 29,409 29,983 31,036~~
~~8 27,426 28,655 29,769 30,383 30,997 32,106~~
~~9 28,219 29,526 30,701 31,353 32,010 33,177~~
~~10 29,012 30,402 31,632 32,325 33,019 34,249~~
~~11 29,807 31,244 32,561 33,296 34,031 35,318~~
~~12 29,807 31,244 32,561 33,296 34,031 35,318~~
~~13 29,807 31,244 32,561 33,296 34,031 35,318~~

Steps	BA	BA+1	BA+2	BA+3	MA	MA+1
1	21,460	22,141	22,840	23,181	23,523	24,223
2	22,260	23,021	23,781	24,162	24,547	25,335
3	23,062	23,901	24,730	25,170	25,609	26,474
4	23,864	24,795	25,713	26,198	26,682	27,609
5	24,671	25,713	26,702	27,227	27,755	28,746
6	25,506	26,642	27,694	28,260	28,829	29,883
7	26,344	27,564	28,679	29,290	29,899	31,016
8	27,187	28,491	29,672	30,323	30,975	32,151
9	28,024	29,415	30,661	31,353	32,049	33,288
10	28,869	30,344	31,649	32,384	33,121	34,425
11	29,712	31,237	32,635	33,414	34,194	35,560
12	29,712	31,237	32,635	33,414	34,194	35,560
13	29,712	31,237	32,635	33,414	34,194	35,560

(b) The 9-month pay schedule for teachers for fiscal year ~~1991~~ 1993 is as follows:

Annual Hours -- 1480 Note: ~~Includes~~ Does Not Include Insurance
Term -- Nine Months Matrix Type -- Annual
Education Level

~~STEP BA BA+1 BA+2 BA+3 MA MA+1~~
~~1 17,251 17,733 18,227 18,468 18,710 19,204~~
~~2 17,817 18,354 18,892 19,161 19,431 19,968~~
~~3 18,383 18,976 19,557 19,856 20,152 20,733~~
~~4 18,951 19,601 20,222 20,549 20,874 21,497~~
~~5 19,515 20,222 20,887 21,241 21,596 22,263~~
~~6 20,083 20,847 21,555 21,936 22,318 23,028~~
~~7 20,646 21,467 22,218 22,629 23,039 23,790~~
~~8 21,214 22,091 22,886 23,324 23,763 24,554~~
~~9 21,780 22,713 23,551 24,017 24,485 25,333~~
~~10 22,346 23,337 24,216 24,710 25,217 26,138~~
~~11 22,913 23,939 24,882 25,422 25,974 26,938~~
~~12 22,913 23,939 24,882 25,422 25,974 26,938~~
~~13 22,913 23,939 24,882 25,422 25,974 26,938~~

Steps	BA	BA+1	BA+2	BA+3	MA	MA+1
1	16,392	16,903	17,428	17,683	17,940	18,464

2	16,993	17,563	18,133	18,418	18,705	19,274
3	17,592	18,222	18,839	19,156	19,470	20,086
4	18,196	18,885	19,544	19,890	20,235	20,897
5	18,793	19,544	20,250	20,625	21,002	21,709
6	19,396	20,207	20,958	21,362	21,768	22,521
7	19,993	20,865	21,662	22,098	22,532	23,330
8	20,596	21,527	22,371	22,835	23,301	24,140
9	21,196	22,186	23,076	23,571	24,067	24,966
10	21,797	22,848	23,781	24,305	24,844	25,820
11	22,398	23,487	24,487	25,061	25,646	26,669
12	22,398	23,487	24,487	25,061	25,646	26,669
13	22,398	23,487	24,487	25,061	25,646	26,669

(Note: Nine-month teachers are paid additional compensation for holidays and annual leave days that they accumulate in excess of 1480 hours per year. Dollar amounts vary depending on individual annual leave accrual and actual hours worked.)"

Section 9. Section 2-18-314, MCA, is amended to read:

"2-18-314. Liquor store occupations pay schedules. (1) The pay schedule for liquor store occupations for fiscal year ~~1990~~ 1992 is as follows:

Annual Hours -- 2080 Note: ~~With~~ Without Insurance

Pay Matrix -- Retail Clerk Matrix Type -- Hourly

Grade	$/Hour ~~W/Ins.~~
~~L1~~	~~0.000~~
~~L2~~	~~8.040~~
~~L3~~	~~8.540~~
~~L4~~	~~8.820~~
~~L5~~	~~9.110~~
~~L6~~	~~9.720~~
~~L7~~	~~10.380~~
~~L8~~	~~11.130~~
L1	0.00
L2	7.820
L3	8.320
L4	8.600
L5	8.890
L6	9.500
L7	10.160
L8	10.910

(2) The pay schedule for liquor store occupations for fiscal year ~~1991~~ 1993 is as follows:

Annual Hours -- 2080 Note: ~~With~~ Without Insurance

Pay Matrix -- Retail Clerk Matrix Type -- Hourly

Grade $/Hour

~~W/Ins.~~
~~L1 0.000~~
~~L2 8.425~~
~~L3 8.925~~
~~L4 9.205~~
~~L5 9.495~~
~~L6 10.105~~
~~L7 10.765~~
~~L8 11.515~~

L1 0.00
L2 8.090
L3 8.590
L4 8.870
L5 9.160
L6 9.770
L7 10.430
L8 11.180"

Section 10. Section 2-18-315, MCA, is amended to read:
"2-18-315. Blue-collar pay schedules. (1) The pay schedule for blue-collar workers for fiscal year ~~1990~~ 1992 is as follows:

Annual Hours -- 2080 Note: ~~With~~ Without Insurance
Pay Matrix -- Blue-Collar Matrix Type -- Hourly

Grade $/Hour
~~W/Ins.~~
~~B1 8.51~~
~~B2 8.91~~
~~B3 9.31~~
~~B4 9.71~~
~~B5 10.11~~
~~B6 10.51~~
~~B7 10.91~~
~~B8 11.31~~
~~B9 11.71~~
~~B10 12.11~~
~~B11 12.51~~
~~B12 12.91~~
~~B00 13.31~~

B1 8.39
B2 8.79
B3 9.19
B4 9.59
B4 9.99
B6 10.39
B7 10.79
B8 11.19
B9 11.59
B10 11.99
B11 12.39

B12 12.79
B00 13.19

(2) The pay schedule for blue-collar workers for fiscal year ~~1991~~ 1993 is as follows:

Annual Hours -- 2080 Note: ~~With~~ Without Insurance
Pay Matrix -- Blue-Collar Matrix Type -- Hourly

Grade	$/Hour ~~W/Ins.~~
~~B1~~	~~8.90~~
~~B2~~	~~9.30~~
~~B3~~	~~9.70~~
~~B4~~	~~10.10~~
~~B5~~	~~10.50~~
~~B6~~	~~10.90~~
~~B7~~	~~11.30~~
~~B8~~	~~11.70~~
~~B9~~	~~12.10~~
~~B10~~	~~12.50~~
~~B11~~	~~12.90~~
~~B12~~	~~13.30~~
~~B00~~	~~13.70~~

B1	8.75
B2	9.15
B3	9.55
B4	9.95
B5	10.35
B6	10.75
B7	11.15
B8	11.55
B9	11.95
B10	12.35
B11	12.75
B12	13.15
B00	13.55"

Section 11. Section 2-18-703, MCA, is amended to read:

"2-18-703. Contributions. (1) Each agency, as defined in 2-18-601, shall contribute the amount specified in this section towards the group benefits cost.

(2) For employees defined in 2-18-701, other than members of collective bargaining units, and for members of the legislature, the employer contribution for group benefits shall be ~~$130~~ $165 per month for the fiscal year ending June 30, ~~1990~~ 1992, and ~~$150~~ $180 per month for the fiscal year ending June 30, ~~1991~~ 1993, and for each fiscal year thereafter. Permanent part-time, seasonal part-time, and temporary part-time employees who are regularly scheduled to work less than 20 hours a week are not eligible for the group benefit contribution. An employee who elects not to be covered by a state-sponsored group benefit plan may not

receive the state contribution as wages. A portion of the employer contribution for group benefits may be applied to an employee's costs for participation in Part B of medicare under Title XVIII of the Social Security Act of 1965, as amended, if the state group benefit plan is the secondary payer and medicare the primary payer.

(3) For employees of elementary and high school districts and of local government units, the employer's premium contributions may exceed but may not be less than $10 per month.

(4) Unused employer contributions for any state employee must be transferred to an account established for this purpose by the department of administration and upon such transfer may be used to offset losses occurring to the group of which the employee is eligible to be a member."

Section 12. Section 15-2-102, MCA, is amended to read:

"15-2-102. Qualification and compensation. (1) To be appointed a member of the state tax appeal board, a person must possess knowledge of the subject of taxation and skill in matters pertaining thereto. No person so appointed may hold any other office under the laws of this state or any other state or any office under the government of the United States or under the government of any other state. He shall devote his entire time to the duties of the office and shall not hold any other position of trust or profit or engage in any occupation or business interfering or inconsistent with his duties. The state tax appeal board is transferred to the department of administration for administrative purposes only as is specified in 2-15-121. However, the board may hire its own personnel, and 2-15-121(2)(d) does not apply.

(2) The member designated chairman as provided for in 15-2-103 shall receive a salary ~~of $29,082 in fiscal year 1990 and $29,809 in fiscal year 1991 and thereafter~~ equivalent to that of entry salary, grade 18. The remaining state tax appeal board members shall be paid a salary ~~of $28,326 in fiscal year 1990 and $29,034 in fiscal year 1991 and thereafter~~ equivalent to that of entry salary, grade 17. All members of the board shall receive travel expenses as provided for in 2-18-503, as amended, when away from the capital on official business."

Section 13. Section 5-2-301, MCA, is amended to read:

"Section 5-2-301. Compensation and expenses for members while in session. (1) Except as provided in subsection (7), legislators are entitled to a salary commensurate to that of the daily rate of a an entry salary, grade 8, ~~step 2,~~ classified state employee in effect when the regular session of the legislature in which they serve is convened under 5-2-103 for those days during which the legislature is in session. The president of the senate and the speaker of the house shall receive an additional $5 a day in salary for those days during which the legislature is in session.

(2) Legislators may serve for no salary.

(3) Legislators are entitled to $50 a day, 7 days a week, during a legislative session, as reimbursement for expenses incurred in attending a session. Expense payments shall stop

when the legislature recesses for more than 3 days and shall resume when the legislature reconvenes.

(4) Legislators are entitled to a mileage allowance as provided in 2-18-503 for each mile of travel to the place of the holding of the session and to return to their place of residence at the conclusion of the session.

(5) In addition to the mileage allowance provided for in subsection (4), legislators, upon submittal of an appropriate claim for such mileage reimbursement to the office of the legislative council, are entitled to:

(a) three additional round trips to their place of residence during each regular session; and

(b) such additional round trips as are authorized by the legislature during special session.

(6) Legislators are not entitled to any additional mileage allowance under subsection (4) for a special session if it is convened within 7 days of a regular session.

(7) In lieu of the salary provided for in subsection (1) and the expense allowance provided for in subsection (3), a legislator may receive remuneration for services performed during a legislative session. A legislator choosing to receive remuneration for services performed shall file a request to receive payment under this subsection with the accounting office of the legislative council. A legislator exercising the option to receive remuneration for services performed may not receive more remuneration than legislators paid pursuant to subsections (1) and (3). Remuneration for services performed must be reduced $50 a day when the legislature recesses for more than 3 days."

NEW SECTION. Section 14. Appropriation. There is appropriated a total of $56,226,519 to the office of budget and program planning to be distributed as indicated to fund the salary, benefit and insurance costs of [this act]:

	FY 1992	FY 1993
State Government		
General Fund	5,830,438	11,687,923
Other Funds	8,288,400	16,636,076
University System		
General Fund	3,727,841	7,442,716
Other Funds	871,913	1,741,212

NEW SECTION. Section 15. Effective Dates. (1) [Sections 1 through 11, 14, and this section] are effective on passage and approval.

(2) [Sections 12 and 13] are effective July 1, 1991."

MOTIONS

Representative Driscoll moved the House dissolve the conference committee on Senate amendments to HB 747 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on HB 747. Motion carried.

Representative Driscoll moved the House accede to the request of the Senate to appoint conference committees to meet with like committees from the Senate to confer on House amendments to SB 37, SB 51, SB 189, SB 191, SB 199 and SB 273. Motion carried.

Representative Driscoll moved the House dissolve the conference committees on Senate amendments to HB 987, HB 988 and HB 989 and the Speaker be authorized to appoint free conference committees to meet with like committees from the Senate to confer on HB 987, HB 988 and HB 989. Motion carried.

Representative Grady moved he be allowed to change his vote on Senate amendments to HB 696, third reading, from no to yes. Motion carried.

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 37:

Representative Strizich, Chairman
Representative Cody
Representative J. Rice

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 51:

Representative Whalen, Chairman
Representative Toole
Representative R. Johnson

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 189:

Representative Cohen, Chairman
Representative O'Keefe
Representative Gilbert

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 191:

Representative McCulloch, Chairman
Representative Madison
Representative Tunby

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 199:

Representative Russell, Chairman
Representative Measure
Representative J. Rice

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 273:

Representative Stang, Chairman
Representative Larson
Representative Knox

Mr. Speaker appointed the following members to the free conference committee on HB 747:

Representative Strizich, Chairman
Representative Wyatt
Representative Lee

Mr. Speaker appointed the following members to the free conference committee on HB 987:

Representative Cromley, Chairman
Representative Pavlovich
Representative Ellis

Mr. Speaker appointed the following members to the free conference committee on HB 988:

Representative Cromley, Chairman
Representative Pavlovich
Representative Ellis

Mr. Speaker appointed the following members to the free conference committee on HB 989:

Representative Cromley, Chairman
Representative Pavlovich
Representative Ellis

Representative Driscoll moved the House recess until 3:00 p.m. Motion carried.

House recessed at 12:30 p.m.

House reconvened at 3:00 p.m. Mr. Speaker in the Chair.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative J. Rice in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 511 - Representative R. Johnson moved the conference committee report #1 to HB 511 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Dowell.
Total 1

Excused: Cobb, Cohen.
Total 2

Absent or not voting: Lee, S. Rice.
Total 2

HB 698 - Representative Scott moved the conference committee report #1 to HB 698 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 87

Noes: R. DeBruycker, Knox, Peck, Wyatt.
Total 4

Excused: Cobb, Cohen, Daily, Pavlovich.
Total 4

Absent or not voting: Boharski, M. Hanson, Lee, S. Rice, Thomas.
Total 5

SB 157 - Representative Cocchiarella moved Governor's amendments to SB 157 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Grady, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 63

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Peterson, J. Rice, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 35

Excused: Cobb, Cohen.
Total 2

Absent or not voting: None.
Total 0

HB 684 - Representative Driscoll moved Senate amendments to HB 684 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 81

Noes: Bardanouve, Boharski, Connelly, R. DeBruycker, Elliott, Feland, Hayne, Kadas, Kasten, Lee, Measure, O'Keefe, Peck, Peterson, Steppler, Zook.
Total 16

Excused: Cobb, Cohen.
Total 2

Absent or not voting: M. Hanson.
Total 1

HB 903 - Representative Bradley moved Senate amendments to HB 903 be concurred in. Motion carried as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Bachini, Bardanouve, J. DeBruycker, R. DeBruycker, Feland, Gilbert, Grinde, S. J. Hansen, Kasten, Lee, McCaffree, Measure, Peck.
Total 13

Voted Absentee: Cobb, Aye.

Excused: Cohen.
Total 1

Absent or not voting: None.
Total 0

HB 993 - Representative Zook moved Senate amendments to HB 993 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Measure, Squires.
Total 2

Excused: Cobb, Cohen.
Total 2

Absent or not voting: None.
Total 0

HB 701 - Representative Driscoll moved Senate amendments to HB 701 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Feland, Measure, Mercer.
Total 3

Excused: Cobb, Cohen.
Total 2

Absent or not voting: Ellison, M. Hanson.
Total 2

HB 795 - Representative Harper moved Senate amendments to HB 795 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Cobb, Aye.

Excused: Cohen.
Total 1

Absent or not voting: None.
Total 0

HB 869 - Representative Simpkins moved Senate amendments to HB 869 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Bachini, Gilbert, Measure, Peck.
Total 4

Excused: Cobb, Cohen.
Total 2

Absent or not voting: McCulloch.
Total 1

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker Pro Tempore in the Chair. Chairman J. Rice moved the adoption of the committee report. Report adopted. (94-3)

Representative Driscoll moved the House recess until 4:00 p.m. Motion carried.

House recessed at 3:20 p.m.

House reconvened at 4:10 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/18/91
Correctly printed: HB 1013.
Correctly engrossed: HJR 52.
Correctly enrolled: HB 145, HB 234, HB 508, HB 706, HB 723, HB 853, HB 876.
Examined by the sponsor and found to be correct:
HB 234 - Pavlovich

HB 508 - Kadas
HB 723 - Phillips
HB 830 - Phillips
HB 853 - Scott
HB 876 - Wyatt
HB 996 - Ream
HB 999 - Peck
HB 1007 - Kadas

Signed by the Speaker at 3:10 p.m., 4/18/91: HB 6, HB 8, HB 233, HB 513, HB 524, HB 572, HB 996, HB 1007, SB 19, SB 93, SB 128.
Delivered to the Governor for his approval at 4:00 p.m., 4/18/91: HB 996, HB 1007.

HUMAN SERVICES AND AGING (Russell, Chairman): 4/18/91
HJR 54, introduced bill, be amended as follows:

1. Title, line 6.
Following: "INTERIM"
Insert: "STUDY"

2. Title, line 7.
Following: "FAMILIES"
Insert: "; AND DIRECTING THE COMMITTEE TO REPORT ITS FINDINGS TO THE 53RD LEGISLATURE"

3. Page 3, line 5.
Following: "interim"
Insert: "study"

4. Page 4, line 4.
Following: "of"
Insert: "establishing"
Following: "a"
Insert: "statutory"

And, as amended, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

Conference Committee
on House Bill 306
Report No. 1, April 18, 1991

Mr. Speaker and Mr. President:

We, your Conference Committee on House Bill 306 met and considered the Senate committee on Highways and Transportation amendments, dated March 28, 1991, and recommend that the amendments be accepted in their entirety.

And that this Conference Committee report be adopted.

For the House: For the Senate:

Stang, Chair
Madison
Barnett

Stimatz, Chair
Rea
Tveit

Conference Committee
on House Bill 568
Report No. 1, April 18, 1991

Mr. Speaker and Mr. President:

We, your Conference Committee on House Bill 568 met and considered Senate committee on Highways and Transportation amendments, dated March 28, 1991, and recommend that the amendments be accepted in their entirety.

And that this Conference Committee report be adopted.

For the House:

Stang, Chair
McCulloch
J. Rice

For the Senate:

Weeding, Chair
Bruski
Farrell

Conference Committee
on House Bill 650
Report No. 1, April 18, 1991

Mr. Speaker and Mr. President:

We, your Conference Committee on House Bill 650 met and considered Senate committee on Local Government amendments, dated April 3, 1991, and recommend that House Bill 650 (reference copy -- salmon) be amended as follows:

1. Title, lines 6 and 7.
Strike: "OR SIMILAR POSITIONS"
Insert: "POSITION"

2. Page 1, line 23.
Strike: "OR SIMILAR POSITIONS"

And that this Conference Committee report be adopted.

For the House:

Squires, Chair
Becker
Foster

For the Senate:

Jergeson, Chair
Eck
Thayer

Conference Committee
on House Bill 836
Report No. 1, April 18, 1991

Mr. Speaker and Mr. President:

We, your Conference Committee met and considered House Bill 836 and recommend that House Bill 836 (reference copy -- salmon) be amended as follows:

1. Page 6, line 21.
Following: "the"
Strike: "contracting"
Insert: "professional consultants of the letting"

And that this Conference Committee report be adopted.

For the House:

Driscoll, Chair
G. Beck
Thomas

For the Senate:

Lynch, Chair
Doherty
Keating

Conference Committee
on House Joint Resolution 32
Report No. 1, April 18, 1991

Mr. Speaker and Mr. President:

We, your Conference Committee on House Joint Resolution 32 met and considered Senate committee on Education and Cultural Resources amendments, dated March 25, 1991, and recommend that House Joint Resolution 32 (reference copy -- salmon) be amended as follows:

1. Page 1, line 17.
Following: "conquest"
Strike: ", SALE,"

2. Page 1, line 18.
Strike: "NEGOTIATED CESSION"
Insert: "through treaty negotiations"

3. Page 1, line 21.
Strike: "SEVERELY REDUCED"
Insert: "included the annihilation of Native Americans and the extraordinary maltreatment of"

4. Page 2, line 15.
Strike: "IF"
Insert: "for"

5. Page 2, line 16.
Strike: "IS"

Insert: "to be"

6. Page 3, line 4.
Following: "NATIVE"
Strike: "AMERICANS"
Insert: "American nations and cultures"

7. Page 3, line 5.
Following: "RESILIENCE"
Strike: "AND ADAPTABILITY"

8. Page 3, line 6.
Following: "PEOPLE"
Strike: "AND HAS PRODUCED A DIVERSE, PLURALISTIC, AND"
Insert: "who are contributing to a"

And that this Conference Committee report be adopted.

For the House:

Russell, Chair
Gervais
Lee

For the Senate:

Eck, Chair
Yellowtail
Gage

Free Conference Committee
on House Bill 139
Report No. 1, April 18, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered House Bill 139 and recommend that House Bill 139 (reference copy -- salmon) be amended as follows:

1. Page 2, line 18 and 19.
Strike: "THE EARLIER OF:
(A)"
Following: "1993"
Strike: "; OR
(B) THE DATE THE DEPARTMENT ADOPTS REVISED RULES GOVERNING LANDFILL SITING AND OPERATION CRITERIA PURSUANT TO THIS PART; AND
(C) THE DATE RULES ARE ADOPTED TO IMPLEMENT HOUSE BILL NO. 377"

2. Page 3, lines 6 through 8.
Strike: section 2 in its entirety

And that this Free Conference Committee report be adopted.

For the House:

Raney, Chair

For the Senate:

Eck, Chair

Driscoll
Gilbert
Yellowtail
Harp

Free Conference Committee
on House Bill 500
Report No. 1, April 18, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered House Bill 500 and recommend that House Bill 500 (reference copy -- salmon) be amended as follows:

1. Page 1, line 11.
Following: "through"
Strike: "6"
Insert: "7"

2. Page 2.
Following: line 16
Insert: "NEW SECTION. Section 3. Legislative membership on commission. The president of the senate and the speaker of the house of representatives are ex officio members of the commission. Each may appoint up to two members from the public or private sector who shall serve for 2 years."
Renumber: subsequent sections

3. Page 3.
Following: line 25
Insert: "NEW SECTION. Section 8. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

And that this Free Conference Committee report be adopted.

For the House:

Whalen, Chair
J. Brown
Mercer

For the Senate:

Blaylock, Chair
Fritz
Gage

Free Conference Committee
on House Bill 833
Report No. 1, April 18, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered House Bill 833 and recommend that House Bill 833 (reference copy -- salmon) be amended as follows:

1. Page 14, line 12.

Following: "(9)"
Insert: "The population density and heavy recreational use of certain lakes require a noise standard more restrictive than the standard set in 23-2-526, in order to protect the public health and safety."

2. Page 14, line 16.
Strike: "SEELEY"
Insert: "Swan"

3. Page 14, line 17.
Strike: "MISSOULA"
Insert: "Lake"

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
Strizich, Chair	Svrcek, Chair
Measure	B. Brown
Lee	Kennedy

MESSAGES FROM THE SENATE

The Senate, on 4/17/91, failed to concur in House amendments to SB 16 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 16.

President Mazurek appointed the following members:

Senator Kennedy, Chairman
Senator Bruski
Senator Gage

The Senate, on 4/17/91, failed to concur in House amendments to SB 94 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 94.

President Mazurek appointed the following members:

Senator Weeding, Chairman
Senator Bianchi
Senator Beck

The Senate, on 4/17/91, failed to concur in House amendments to SB 192 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 192.

President Mazurek appointed the following members:

Senator Blaylock, Chairman
Senator Hockett
Senator Farrell

The Senate, on 4/17/91, failed to concur in House amendments to SB 266 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 266.

President Mazurek appointed the following members:

Senator Koehnke, Chairman
Senator Stimatz
Senator Grosfield

The Senate, on 4/17/91, failed to concur in House amendments to SB 272 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 272.

President Mazurek appointed the following members:

Senator Halligan, Chairman
Senator Doherty
Senator Farrell

The Senate, on 4/17/91, failed to concur in House amendments to SB 301 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 301.

President Mazurek appointed the following members:

Senator Blaylock, Chairman
Senator Vaughn
Senator Farrell

The Senate, on 4/17/91, failed to concur in House amendments to SB 326 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 326.

President Mazurek appointed the following members:

Senator Eck, Chairman
Senator Waterman
Senator Aklestad

The Senate, on 4/17/91, failed to concur in House amendments to SB 333 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 333.

President Mazurek appointed the following members:

Senator Towe, Chairman
Senator Koehnke
Senator Gage

The Senate, on 4/17/91, failed to concur in House amendments to SB 359 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 359.

President Mazurek appointed the following members:

Senator Eck, Chairman
Senator Towe
Senator Nathe

The Senate, on 4/17/91, failed to concur in House amendments to SB 370 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 370.

President Mazurek appointed the following members:

Senator Franklin, Chairman
Senator Waterman
Senator Gage

The Senate, on 4/17/91, failed to concur in House amendments to SB 379 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 379.

President Mazurek appointed the following members:

Senator Van Valkenburg, Chairman
Senator Fritz
Senator Beck

The Senate, on 4/17/91, failed to concur in House amendments to SB 425 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 425.

President Mazurek appointed the following members:

Senator Weeding, Chairman
Senator Yellowtail
Senator Grosfield

The Senate, on 4/17/91, failed to concur in House amendments to SB 462 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 462.

President Mazurek appointed the following members:

Senator Mazurek, Chairman
Senator Williams
Senator Hager

The Senate, on 4/17/91, failed to concur in House amendments to SJR 21 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SJR 21.

President Mazurek appointed the following members:

Senator Franklin, Chairman

Senator Doherty
Senator Thayer

The Senate, on 4/18/91, dissolved the conference committee on House amendments to SB 37 and appointed a free conference committee to meet with a like committee from the House to confer on SB 37.

President Mazurek appointed the following members:

Senator Halligan, Chairman
Senator Yellowtail
Senator Gage

The Senate, on 4/18/91, acceded to the request of the House, dissolved the conference committee on Senate amendments to HB 747 and appointed a free conference committee to meet with a like committee from the House to confer on HB 747.

President Mazurek appointed the following members:

Senator Pinsoneault, Chairman
Senator Waterman
Senator Grosfield

The Senate, on 4/18/91, acceded to the request of the House, dissolved the conference committee on Senate amendments to HB 989 and appointed a free conference committee to meet with a like committee from the House to confer on HB 989.

President Mazurek appointed the following members:

Senator Eck, Chairman
Senator Waterman
Senator Harp

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Grinde in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 514 - Representative Menahan moved Governor's amendments to HB 514 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Grady, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch,

Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 65

Noes: Barnett, Benedict, Bergsagel, Boharski, Cobb, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, T. Nelson, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 34

Voted Absentee: Daily, Aye; Cobb, No.

Excused: Cohen.
Total 1

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Grinde moved the adoption of the committee report. Report adopted. (63-32)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/18/91
Signed by the Speaker at 4:10 p.m., 4/18/91: HB 10, HB 272, HB 335, HB 441, HB 465, HB 520, HB 607, HB 631, HB 643, HB 645, HB 651, HB 660, HB 703, HB 711, HB 715, HB 757, HB 782, HB 804, HB 807, HB 832, HB 837, HB 841, HB 857, HB 901, HB 906, HB 927, HB 930, HB 968, SB 38, SB 49, SB 59, SB 148, SB 158, SB 172, SB 270, SB 381.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill No. 77
Report No. 1, April 18, 1991

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 77, met and considered Senate Bill No. 77 (reference copy - salmon) and recommend that it be amended as follows:

1. Title, line 7.
Following: "2001;"
Insert: "REVISING THE DEFINITION OF ALCOHOL DISTRIBUTOR;"

2. Title, line 11.

Following: "MILLION;"
Insert: "PROVIDING FOR THE RESERVATION OF TAX INCENTIVES;"
Strike: "SECTION"
Insert: "SECTIONS 15-70-503 AND"

3. Page 1, line 15.
Following: line 14
Insert: "STATEMENT OF INTENT

A statement of intent is required for this bill because [section 2(10)] grants rulemaking authority to the department of revenue to allow the reservation of alcohol tax incentives for alcohol distributors who begin production after July 1, 1991, and to reduce or cancel those incentives if a new alcohol distributor does not comply with the written plan. The legislature intends that the department adopt rules that specify the information that must be contained in the written plan. The department shall also develop procedures to verify that the alcohol distributor has obtained financing for the acquisition of the plant, land, and equipment and has secured an adequate supply of agricultural products for the production of alcohol. The rules may include procedures for the review of a new alcohol distributor's business plan or prospectus, architectural plans, and process flows. The department shall also develop procedures for reducing or canceling the reservation of alcohol tax incentives if the department determines that the new alcohol distributor does not comply with the written plan."

4. Page 1, line 16.
Following: line 15
Insert: "Section 1. Section 15-70-503, MCA, is amended to read:

"15-70-503. Definitions. As used in this part, the definitions in 15-70-201 and the following definitions apply:

(1) "Alcohol distributor" means any person who, for the purpose of making gasohol:-

~~(a)~~ engages in the business of producing alcohol for sale, use, or distribution; ~~or~~

~~(b) imports alcohol for sale, use, or distribution~~.

(2) "Department" means the department of revenue.

(3) "Export" means to transport out of Montana from any point of origin within Montana by any means other than in the fuel supply tank of a motor vehicle.

(4) "Gasohol dealer" means any person who blends alcohol with gasoline to produce gasohol for sale, use, or distribution in this state.""
Renumber: subsequent sections

5. Page 1, line 17.
Following: "alcohol"
Insert: "-- written plan required -- reservation of incentives -- rules"

6. Page 1, line 20.
Following: "products,"
Insert: "or if the alcohol was produced from non-Montana agricultural products when Montana products are not available,"

7. Page 1, line 23.
Strike: "or"

8. Page 1, line 25.
Following: "gasohol"
Insert: "; or

(iii) was used in the production of ethyl butyl ether for use in reformulated gasoline"

9. Page 2, line 11 through page 4, line 6.
Strike: subsection (3) in its entirety
Renumber: subsequent subsections

10. Page 4, line 8.
Strike: "or (3)"

11. Page 4, lines 15 through 25.
Strike: ", except" on line 15 through "(4)" on line 25

12. Page 5, line 1.
Following: page 4, line 25
Insert: "(5) An alcohol distributor who begins production after July 1, 1991, may not receive tax incentive payments under subsection (2) unless he has provided a written plan to the department of revenue at least 18 months before his anticipated collection of the tax incentives. The plan must contain the following information:

(a) the source or sources of financing for the acquisition of the plant, land, and equipment used for the production of gasohol;

(b) the anticipated source of agricultural products used in the production of gasohol; and

(c) the anticipated time, quantity, and duration of production of gasohol.

(6) The department shall provide to the department of highways the information received from the alcohol distributor under subsection (5).

(7) An alcohol distributor in production before July 1, 1991, is entitled to apply for the maximum tax incentive payment allowed under subsection (4) without providing a written plan as required in subsection (5).

(8) (a) Except as provided in subsection (8)(b), the department shall reserve, in the order that written plans required under subsection (5) are received by the department, alcohol tax incentives based on the anticipated time, quantity, and duration of production. Payment of the alcohol tax incentives must be based on actual production.

(b) No later than 1 year after the written plan is received under subsection (5), the department shall determine whether an alcohol distributor is complying with the written plan. The department may reduce or cancel the reservation of the tax incentive provided in this subsection if the department determines that the alcohol distributor has not materially complied with the written plan.

(9) A new tax incentive payment may not be made if the total tax incentive established in subsection (3) has been reserved or paid. If an alcohol tax incentive has been reduced or canceled, the amount by which the tax incentive has been reduced or canceled is available for reservation as provided in subsection (8)(a).

(10) The department shall prescribe rules necessary to carry out the provisions of this section."

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Koehnke, Chair	Schye, Chair
Tveit	L. Nelson
Svrcek	Foster

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 17, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 144, 209, 228, 251, 292, 338, 377, 405, 618, 751, 776, 847 and 947 on April 17, 1991.

Sincerely,

STAN STEPHENS
Governor

SPECIAL ORDERS OF THE DAY

The following sponsor was added to HB 1013: Gould.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 8:30 a.m., Friday, April 19, 1991. Motion carried.

House adjourned at 4:50 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

EIGHTY-FOURTH LEGISLATIVE DAY

Helena, Montana
April 19, 1991

House Chambers
State Capitol

House convened at 8:30 a.m. Mr. Speaker in the Chair. Invocation by Reverend George Harper. Pledge of Allegiance to the Flag.

Roll call. All members present except Cobb, Spring, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the seventy-seventh and seventy-ninth legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 989
Report No. 1, April 18, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered House Bill 989 and recommend that House Bill 989 (reference copy -- salmon) be amended as follows:

1. Page 5, line 14.
Strike: "$75"
Insert: "$60"

2. Page 5, line 18.
Strike: "6%"
Insert: "7.5%"

3. Page 5, line 19.
Strike: "9%"
Insert: "7.5%"

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
Cromley, Chair	Eck, Chair
Pavlovich	Waterman
Ellis	Harp

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 51 failed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Benedict, Bergsagel, Boharski, Bradley, Clark, Cody, Connelly, Cromley, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Steppler, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Zook.
Total 46

Noes: Bachini, Beck, Becker, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Wanzenried, Wyatt, Mr. Speaker.
Total 50

Excused: Cobb, Spring, Whalen.
Total 3

Absent or not voting: Kadas.
Total 1

HB 46, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: Boharski, Clark, Ellis, Ellison, Fagg, Feland, Foster, M. Hanson, Hayne, Kasten, Keller, Lee, Mercer, Messmore.
Total 14

Excused: Cobb, Spring.
Total 2

Absent or not voting: J. DeBruycker, H. S. Hanson.
Total 2

HB 155, Senate amendments, concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 66

Noes: Bachini, Benedict, Bergsagel, Boharski, Clark, Cody, Cohen, R. DeBruycker, Elliott, Ellis, Ellison, Feland, Gilbert, Grinde, H. S. Hanson, Hayne, Kasten, Keller, Lee, McCaffree, Measure, Menahan, Mercer, Messmore, L. Nelson, Peck, Peterson, Phillips, Raney, Scott, Steppler, Tunby.
Total 32

Excused: Cobb, Spring.
Total 2

Absent or not voting: None.
Total 0

HB 196, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gould, Grinde, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 67

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grady, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, T. Nelson, Phillips, Steppler, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 30

Excused: Cobb, Spring.
Total 2

Absent or not voting: Measure.
Total 1

HB 312, Senate amendments, concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Whalen, Wyatt, Mr. Speaker.
Total 63

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Cohen, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Knox, Lee, Measure, Mercer, T. Nelson, Peck, Raney, Simpkins, Stang, Steppler, Swysgood, Thoft, Wallin, Wanzenried, Zook.
Total 34

Excused: Cobb, Spring.
Total 2

Absent or not voting: Ream.
Total 1

HB 528, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 75

Noes: Benedict, Bergsagel, Boharski, D. Brown, Clark, Cody, Daily, R. DeBruycker, Feland, Foster, H. S. Hanson, Harrington, Kasten, Keller, Menahan, Pavlovich, Peterson, Quilici, Swysgood, Thoft, Zook.
Total 21

Excused: Cobb, Spring.
Total 2

Absent or not voting: Ellis, Phillips.
Total 2

HB 684, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 80

Noes: Boharski, Brooke, Cohen, Elliott, Ellison, Feland, Foster, Hayne, Kadas, Kasten, Measure, Mercer, O'Keefe, Peck, Raney, Steppler.
Total 16

Excused: Cobb, Spring.
Total 2

Absent or not voting: S. J. Hansen, Larson.
Total 2

HB 693, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Brooke, Cohen, Gilbert.
Total 3

Excused: Cobb, Spring.
Total 2

Absent or not voting: None.
Total 0

HB 699, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 90

Noes: Boharski, Brooke, S. J. Hansen, O'Keefe, Peck, Southworth, Wyatt.
Total 7

Excused: Cobb, Spring.
Total 2

Absent or not voting: Darko.
Total 1

HB 701, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Boharski, Brooke, Connelly, Elliott, Feland, Kadas, Measure, Peck.
Total 8

Excused: Cobb, Spring.
Total 2

Absent or not voting: None.
Total 0

HB 738, Senate amendments, concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Mr. Speaker.
Total 67

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, R. DeBruycker, Ellis, Ellison, Feland, Forrester, Foster, Grinde, H. S. Hanson, M. Hanson, Hoffman, Kasten, Knox, Lee, Mercer, Messmore, T. Nelson, Peck, Peterson, Phillips, J. Rice, Swysgood, Thoft, Thomas, Wyatt, Zook.
Total 30

Excused: Cobb, Spring.
Total 2

Absent or not voting: Keller.
Total 1

HB 753, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Boharski, Cody, R. DeBruycker, Elliott, Gilbert, S. J. Hansen, M. Hanson, Kasten, Knox, Simpkins.
Total 10

Excused: Cobb, Spring.
Total 2

Absent or not voting: None.
Total 0

HB 781, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 85

Noes: Bergsagel, Boharski, R. DeBruycker, Elliott, Ellis, Feland, Gilbert, H. S. Hanson, M. Hanson, Hayne, Kasten, Peterson, Wyatt.
Total 13

Excused: Cobb, Spring.
Total 2

Absent or not voting: None.
Total 0

HB 787, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Cody, R. DeBruycker, Elliott, Gilbert, S. J. Hansen, Peck, Simpkins, Wanzenried.
Total 8

Excused: Cobb, Spring.
Total 2

Absent or not voting: None.
Total 0

HB 790, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Mercer.
Total 1

Excused: Cobb, Spring.
Total 2

Absent or not voting: S. J. Hansen, Phillips.
Total 2

HB 803, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 69

Noes: Barnett, Benedict, Bergsagel, Clark, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Gilbert, Grinde, H. S. Hanson, Hayne, Hoffman, R. Johnson, Knox, Lee, McCaffree, Measure, Messmore, Peterson, Phillips, Simpkins, Swysgood, Thomas, Tunby, Zook.
Total 29

Excused: Cobb, Spring.
Total 2

Absent or not voting: None.
Total 0

HB 809, Senate amendments, concurred in as follows:

Ayes: Bardanouve, Beck, Becker, Benedict, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Daily, Darko, Davis, Dolezal, Dowell, Forrester, Foster, Galvin, Gervais, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Madison, McCarthy, McCulloch, Menahan, Messmore, L. Nelson, Nisbet, Pavlovich, Peterson, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Thoft, Toole, Tunby, Wallin, Whalen, Mr. Speaker.
Total 61

Noes: Bachini, Barnett, Barnhart, Bergsagel, Boharski, D. Brown, Cohen, Connelly, Cromley, J. DeBruycker, R. DeBruycker, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Gilbert, Gould, R. Johnson, Kasten, Larson, Lee, McCaffree, Measure, Mercer, T. Nelson, O'Keefe, Peck, Phillips, Raney, Steppler, Swysgood, Thomas, Wanzenried, Wyatt, Zook.
Total 37

Excused: Cobb, Spring.
Total 2

Absent or not voting: None.
Total 0

HB 868, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Connelly, R. DeBruycker, McCaffree, O'Keefe, Peck, Raney.
Total 6

Excused: Cobb, Spring.
Total 2

Absent or not voting: None.
Total 0

HB 869, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 90

Noes: Cohen, J. DeBruycker, Gilbert, Measure, Raney, Schye, Scott, Mr. Speaker.
Total 8

Excused: Cobb, Spring.
Total 2

Absent or not voting: None.
Total 0

HB 896, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Gilbert, Gould.
Total 2

Excused: Cobb, Spring.
Total 2

Absent or not voting: Harrington.
Total 1

HB 903, Senate amendments, concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 86

Noes: Bachini, R. DeBruycker, Dowell, Elliott, Gilbert, H. S. Hanson, Kasten, Lee, McCaffree, Southworth, Wyatt.
Total 11

Excused: Cobb, Spring.
Total 2

Absent or not voting: J. Johnson.
Total 1

HB 914, Senate amendments, concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Bachini, Cody, R. DeBruycker, Dowell, Elliott, Gilbert, S. J. Hansen, Measure, Peck, Raney.
Total 10

Excused: Cobb, Spring.
Total 2

Absent or not voting: None.
Total 0

HB 970, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: R. DeBruycker, S. J. Hansen, Raney.
Total 3

Excused: Cobb, Spring.
Total 2

Absent or not voting: None.
Total 0

HB 976, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 94

Noes: O'Keefe, Raney, Southworth, Mr. Speaker.
Total 4

Excused: Cobb, Spring.
Total 2

Absent or not voting: None.
Total 0

HB 993, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Connelly, Squires.
Total 2

Excused: Cobb, Spring.
Total 2

Absent or not voting: None.
Total 0

HB 994, Senate amendments, concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Davis, J. DeBruycker, Dolezal, Dowell, Forrester, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 64

Noes: Bachini, Barnett, Bergsagel, Boharski, D. Brown, Clark, Cody, R. DeBruycker, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gould, Grinde, H. S. Hanson, Hayne, Kasten, Keller, Knox, Lee, Mercer, L. Nelson, T. Nelson, O'Keefe, Peterson, Phillips, Swysgood, Thoft, Thomas, Zook.
Total 33

Excused: Cobb, Spring.
Total 2

Absent or not voting: Darko.
Total 1

HB 1012, Senate amendments, concurred in as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, R. DeBruycker, Dowell, Driscoll, Fagg, Feland, Forrester, Galvin, Gervais, Gould, Grady, H. S. Hanson, Harrington, Hoffman, J. Johnson, Keller, Kilpatrick, Kimberley, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stickney, Strizich, Swysgood, Thoft, Toole, Whalen, Wyatt, Zook, Mr. Speaker.
Total 60

Noes: Bardanouve, Benedict, Bergsagel, Boharski, Brooke, Cromley, J. DeBruycker, Dolezal, Elliott, Ellis, Ellison, Foster, Gilbert, Grinde, S. J. Hansen, M. Hanson, Hayne, R. Johnson, Kadas, Kasten, Knox, Larson, McCaffree, Measure, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Ream, J. Rice, S. Rice, Stang, Steppler, Thomas, Tunby, Wallin, Wanzenried.
Total 38

Excused: Cobb, Spring.
Total 2

Absent or not voting: None.
Total 0

HB 244, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Connelly, Knox, Measure, Steppler.
Total 4

Excused: Cobb, Spring.
Total 2

Absent or not voting: None.
Total 0

HB 511, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Cohen, Dowell, Driscoll, Kadas, Southworth, Toole.
Total 6

Excused: Cobb, Spring.
Total 2

Absent or not voting: None.
Total 0

HB 698, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 90

Noes: R. DeBruycker, M. Hanson, Knox, Ream, Thomas, Wallin, Wyatt.
Total 7

Excused: Cobb, Spring.
Total 2

Absent or not voting: Darko.
Total 1

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hansen in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 1013 - Representative Whalen moved HB 1013 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Wallin.
Total 1

Excused: Cobb, Spring.
Total 2

Absent or not voting: None.
Total 0

HJR 53 - Representative Stang moved HJR 53 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook.
Total 88

Noes: Beck, Gervais, Kimberley, Measure, Menahan, Nisbet, Southworth, Whalen.
Total 8

Excused: Cobb, Spring, Mr. Speaker.
Total 3

Absent or not voting: Dowell.
Total 1

HB 306 - Representative Barnett moved the conference committee report #1 to HB 306 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 94

Noes: Boharski, Harrington, Southworth, Wyatt.
Total 4

Excused: Cobb, Spring.
Total 2

Absent or not voting: None.
Total 0

HB 568 - Representative J. Rice moved the conference committee report #1 to HB 568 be adopted. Motion carried as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Ellis, Ellison, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 68

Noes: Bachini, Bergsagel, Boharski, Cohen, J. DeBruycker, R. DeBruycker, Dowell, Driscoll, Elliott, Fagg, Feland, Gilbert, Grinde, H. S. Hanson,

Hayne, Kasten, Lee, McCaffree, Measure, Mercer, L. Nelson, Peck, Phillips, Scott, Steppler, Thoft, Wallin, Wyatt.
Total 28

Excused: Cobb, Spring.
Total 2

Absent or not voting: Bardanouve, Simpkins.
Total 2

HB 650 - Representative Squires moved consideration of the conference committee report #1 to HB 650 be placed at the bottom of the second reading board. Motion carried.

HB 836 - Representative Darko moved consideration of the conference committee report #1 to HB 836 be placed at the bottom of the second reading board. Motion carried.

HJR 32 - Representative Russell moved the conference committee report #1 to HJR 32 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 79

Noes: Benedict, Bergsagel, Boharski, Clark, Davis, R. DeBruycker, Ellison, Gilbert, Grinde, H. S. Hanson, Hoffman, Kasten, Knox, L. Nelson, Steppler, Wallin, Zook.
Total 17

Excused: Cobb, Spring.
Total 2

Absent or not voting: Grady, Simpkins.
Total 2

HB 139 - Representative Raney moved the free conference committee report #1 to HB 139 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M.

Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook.
Total 92

Noes: Bergsagel, Boharski, R. DeBruycker, Wyatt.
Total 4

Excused: Cobb, Spring, Mr. Speaker.
Total 3

Absent or not voting: Simpkins.
Total 1

HB 500 - Representative Whalen moved the free conference committee report #1 to HB 500 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Bergsagel, Boharski.
Total 2

Excused: Cobb, Spring.
Total 2

Absent or not voting: None.
Total 0

HB 719 - Representative D. Brown moved the free conference committee report #1 to HB 719 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M.

Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Becker, Bergsagel, Cromley, Gilbert, Kasten.
Total 5

Excused: Cobb, Spring.
Total 2

Absent or not voting: Simpkins.
Total 1

HB 833 - Representative Lee moved the free conference committee report #1 to HB 833 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Stickney, Strizich, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Bergsagel, Cody, R. DeBruycker, Ellison, Feland, L. Nelson, Phillips, Scott, Stang, Steppler, Swysgood, Toole.
Total 12

Excused: Cobb, Spring.
Total 2

Absent or not voting: Simpkins, Squires.
Total 2

SB 77 - Representative Schye moved the free conference committee report #1 to SB 77 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne,

Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 97

Noes: None.
Total 0

Excused: Cobb, Spring, Mr. Speaker.
Total 3

Absent or not voting: None.
Total 0

HB 539 - Representative Daily moved Governor's amendments to HB 539 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Cobb, Spring.
Total 2

Absent or not voting: Peterson, Raney.
Total 2

HB 650 - Representative Squires moved consideration of the conference committee report #1 to HB 650 be placed at the bottom of the second reading board. Motion carried.

HB 836 - Representative Driscoll moved the conference committee report #1 to HB 836 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, J. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 62

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Keller, Knox, Mercer, Messmore, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 35

Excused: Cobb, Spring.
Total 2

Absent or not voting: L. Nelson.
Total 1

Representative Driscoll moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Hansen moved the adoption of the committee report. Report adopted. (86-12)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/19/91
Correctly printed: HJR 54.
Correctly engrossed: HB 1013, HJR 53.
Correctly enrolled: HB 30, HB 125, HB 285, HB 321, HB 334, HB 354, HB 386, HB 558, HJR 45.
Examined by the sponsor and found to be correct:
HB 30 - Peck
HB 125 - Gervais
HB 145 - Grady
HB 285 - Schye
HB 321 - Ream
HB 334 - Swysgood
HB 354 - Schye
HB 386 - Schye
HB 558 - Ream
HB 706 - Cohen
HJR 45 - Wyatt

REPORTS OF SELECT COMMITTEES

Conference Committee
on House Bill 672
Report No. 1, April 19, 1991

Mr. Speaker and Mr. President:

We, your Conference Committee on House Bill 672 met and considered Senate committee on Business and Industry amendments, dated March 19, 1991, and recommend that the Senate amendments be accepted in their entirety.

And that this Conference Committee report be adopted.

For the House:

Dowell, Chair
Scott
Fagg

For the Senate:

Fritz, Chair
Franklin

Conference Committee
on Senate Bill No. 57
Report No. 1, April 17, 1991

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill No. 57 (reference copy - salmon), met and considered the amendments of the House Judiciary Standing Committee Report dated February 11, 1991.

We recommend that the amendments of the House Judiciary Standing Committee Report dated February 11, 1991 be rejected in their entirety.

And that this Conference Committee report be adopted.

For the Senate:

Yellowtail, Chair
Halligan
Harp

For the House:

Strizich, Chair
Measure
J. Rice

Free Conference Committee
on House Bill 551
Report No. 1, April 18, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered House Bill 551 and recommend House Bill 551 (reference copy -- salmon) be amended as follows:

1. Title, line 12.

Following: "OR"
Insert: "TRUST"

2. Title, lines 12 and 13.
Following: "INDENTURE"
Strike: "OF TRUST"

3. Page 1, line 24.
Following: "~~and~~"
Insert: "and"

4. Page 1, line 25.
Following: "service account"
Strike: ", AND A COST OF ISSUANCE ACCOUNT"

5. Page 2, line 18.
Following: "OR"
Strike: "INDENTURE OF"
Following: "TRUST"
Insert: "indenture"

6. Page 2, line 19.
Following: "~~and~~"
Insert: "and"

7. Page 2, lines 21 and 22.
Following: "~~.~~"
Strike: "; AND"
Insert: "."

8. Page 2, lines 23 through 25.
Strike: subsection (F) in its entirety

9. Page 3, line 18.
Following: "OR"
Strike: "INDENTURE OF"
Following: "TRUST"
Insert: "indenture"

10. Page 8, line 4.
Following: "in"
Strike: "the"
Insert: "a"
Following: "account"
Insert: "established outside of the revolving fund by the board of examiners in the resolution or trust indenture authorizing the issuance of the bonds"

And that this Free Conference Committee report be adopted.

For the House:

O'Keefe, Chair
Wanzenried

For the Senate:

Hockett, Chair
Stimatz

Fagg Anderson

Free Conference Committee
on House Bill 747
Report No. 1, April 19, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee on House Bill 747 met and considered Senate committee on Judiciary amendments, dated April 1, 1991 and recommend that House Bill 747 (reference copy -- salmon) be amended as follows:

1. Page 10, line 5.
Following: "instruction."
Insert: "(1)"

2. Page 10, line 8.
Following: line 7
Insert: "(2) If this bill and House Bill No. 272 are both passed and approved, then the definition of "community corrections" or "community corrections facility or program" contained in [section 1(1) of this act] is amended to read:

"(1) "Community corrections" or "community corrections facility or program" means a community corrections facility or program as defined in [section 3 of House Bill No. 272].""

And that this Free Conference Committee report be adopted.

For the House:

Strizich, Chair
Wyatt
Lee

For the Senate:

Pinsoneault, Chair
Waterman
Grosfield

Free Conference Committee
on House Bill 763
Report No. 1, April 18, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered House Bill 763 and recommend it be amended as follows:

1. Title, line 5.
Following: "~~PROGRAM;~~"
Insert: "TO MAKE PERMANENT THE MOTORCYCLE SAFETY TRAINING PROGRAM;"

2. Title, line 12.
Following: "~~1989~~"
Insert: ", AND SECTION 10, CHAPTER 324, LAWS OF 1989"

3. Page 8, line 22.
Strike: "IS"
Insert: "and section 10, Chapter 324, Laws of 1989, are"

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
Stang, Chair	Weeding, Chair
McCulloch	Rea
Bergsagel	Noble

Free Conference Committee
on House Bill 987
Report No. 1, April 18, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered House Bill 987 and recommend that House Bill 987 (reference copy -- salmon) be amended as follows:

1. Page 6, line 18.
Strike: "$50"
Insert: "$40"

2. Page 6, line 22.
Strike: "9%"
Insert: "11.25%"
Strike: "6%"
Insert: "3.75%"

3. Page 10, lines 12 and 13.
Strike: "IN THE CASE OF A WILLFUL VIOLATION OF THIS CHAPTER,"

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
Cromley, Chair	Lynch, Chair
Pavlovich	Thayer
Ellis	Kennedy

Free Conference Committee
on House Bill 988
Report No. 1, April 18, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered House Bill 988 and recommend that House Bill 988 (reference copy -- salmon) be amended as follows:

1. Page 3, line 11.
Strike: "$50"
Insert: "$40"

2. Page 3, line 15.
Strike: "9%"
Insert: "11.25%"

3. Page 3, line 16.
Strike: "6%"
Insert: "3.75%"

4. Page 6, lines 9 and 10.
Strike: "IN THE CASE OF A WILLFUL VIOLATION OF THIS CHAPTER,"

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
Cromley, Chair	Lynch, Chair
Pavlovich	Thayer
Ellis	Kennedy

MESSAGES FROM THE SENATE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 4/18/91

HB 752, introduced by Toole

Senate bills passed and transmitted to the House for concurrence: 4/18/91

SB 472, introduced by Mazurek
SB 473, introduced by Svrcek

House amendments to Senate bills concurred in: 4/18/91

SB 53, introduced by Devlin
SB 82, introduced by Van Valkenburg
SB 111, introduced by Halligan
SB 174, introduced by Franklin
SB 177, introduced by Mazurek
SB 178, introduced by Williams
SB 205, introduced by Eck
SB 209, introduced by Yellowtail
SB 211, introduced by Harp
SB 215, introduced by Harp
SB 232, introduced by Doherty
SB 262, introduced by Williams
SB 263, introduced by Williams
SB 275, introduced by Gage
SB 280, introduced by B. Brown

SB 313, introduced by Grosfield
SB 318, introduced by Weeding
SB 331, introduced by Franklin
SB 362, introduced by Grosfield
SB 366, introduced by Franklin
SB 368, introduced by Jergeson
SB 389, introduced by Van Valkenburg
SB 390, introduced by Van Valkenburg
SB 393, introduced by Kennedy
SB 394, introduced by Svrcek
SB 407, introduced by Waterman
SB 409, introduced by Mazurek
SB 420, introduced by Svrcek
SB 427, introduced by Gage
SB 437, introduced by B. Brown
SB 456, introduced by Yellowtail

Governor's amendments concurred in and returned to the House: 4/18/91

HB 131, introduced by Brooke
HB 471, introduced by R. Johnson
HB 567, introduced by Fagg
HB 589, introduced by Peck
HB 864, introduced by Gould

Conference committee report #1 adopted: 4/18/91

SB 267, introduced by Towe
SB 343, introduced by Rye
SB 348, introduced by Eck
SB 440, introduced by Bengtson

Free conference committee report #1 adopted: 4/18/91

HB 151, introduced by Stang
HB 391, introduced by Darko
SB 251, introduced by Gage

The Senate, on 4/19/91, dissolved the conference committee on House amendments to SB 189 and appointed a free conference committee to meet with a like committee from the House to confer on SB 189.

President Mazurek appointed the following members:

Senator Weeding, Chairman
Senator Rea
Senator Beck

The Senate requests that the House appoint a like committee to confer on SB 189.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HJR 55, introduced by Dolezal, Galvin, Dowell, S. Rice, Ream, O'Keefe, Wyatt, Cody, Kadas, Schye, Davis, Kimberley, McCarthy, Larson, J. Johnson, Kilpatrick, Hansen, Harper, Hoffman, Stang, Elliott, Bardanouve, M. Hanson, McCulloch, Madison, Southworth, McCaffree, Raney, Harrington, Whalen, Gilbert, Fagg, Knox, Lee, Connelly, Boharski, G. Beck, Darko, J. Brown, Cocchiarella, Toole, Nisbet, Wanzenried, Foster, Ellison, Grinde, T. Nelson, Strizich, Barnhart, Pavlovich, Daily, Scott, Menahan, Mercer, Bradley, Cohen, Forrester, Thomas, Becker, Stickney, Russell, Messmore (by request of the House Committee on Taxation), referred to Committee on Taxation

MOTIONS

Representative D. Brown moved the rules be suspended to permit placement and consideration of HB 1013 on third reading this legislative day. Motion carried.

Representative Driscoll moved the House accede to the request of the Senate to dissolve the conference committee on House amendments to SB 37 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on SB 37. Motion carried.

Representative Driscoll moved the Speaker be authorized to appoint conference committees to meet with like committees from the Senate to confer on Senate amendments to HB 77, HB 93, HB 801, HB 963, HB 973 and HB 995. Motion carried.

Representative Driscoll moved the Speaker be authorized to appoint free conference committees to meet with like committees from the Senate to confer on HB 20, HB 452 and HB 990. Motion carried.

Representative Toole moved to override the Governor's veto of HB 535. Motion failed.

MESSAGES FROM THE SENATE

Governor's amendments not concurred in: 4/19/91

HB 514, introduced by Menahan

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 1013 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Wallin.
Total 1

Excused: Cobb, Spring.
Total 2

Absent or not voting: None.
Total 0

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the conference committee on Senate amendments to HB 77:

Representative Quilici, Chairman
Representative Southworth
Representative Clark

Mr. Speaker appointed the following members to the conference committee on Senate amendments to HB 93:

Representative Bradley, Chairman
Representative Squires
Representative Cobb

Mr. Speaker appointed the following members to the conference committee on Senate amendments to HB 801:

Representative Raney, Chairman
Representative McCarthy
Representative Hoffman

Mr. Speaker appointed the following members to the conference committee on Senate amendments to HB 963:

Representative Bardanouve, Chairman

Representative Madison
Representative Peterson

Mr. Speaker appointed the following members to the conference committee on Senate amendments to HB 973:

Representative Stang, Chairman
Representative L. Nelson
Representative Tunby

Mr. Speaker appointed the following members to the conference committee on Senate amendments to HB 995:

Representative Driscoll, Chairman
Representative Harper
Representative Thomas

Mr. Speaker appointed the following members to the conference committee on Senate amendments to HJR 24:

Representative Ream, Chairman
Representative Schye
Representative Thomas

Mr. Speaker appointed the following members to the free conference committee on HB 20:

Representative Pavlovich, Chairman
Representative Becker
Representative Hayne

Mr. Speaker appointed the following members to the free conference committee on HB 452:

Representative Larson, Chairman
Representative Kilpatrick
Representative Knox

Mr. Speaker appointed the following members to the free conference committee on HB 990:

Representative Nisbet, Chairman
Representative S. Rice
Representative Zook

Mr. Speaker appointed the following members to the free conference committee on SB 37:

Representative Strizich, Chairman
Representative Cody
Representative J. Rice

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House recess until 3:15 p.m. Motion carried.

House recessed at 10:30 a.m.

House reconvened at 3:15 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/19/91
Correctly enrolled: HB 4, HB 103, HB 179, HB 340, HB 365, HB 448, HB 477, HB 489, HB 569, HB 579, HB 595, HB 696, HB 704, HB 731, HB 778, HB 793, HB 883, HB 904, HB 923, HB 934, HB 949, HB 977, HB 1008.
Signed by the Speaker at 10:00 a.m., 4/19/91: HB 9, HB 299, HB 371, HB 414, HB 491, HB 498, HB 560, HB 728, HB 746, HB 760, HB 777, HB 842, HB 937, HB 940, HB 942, HB 964, HB 978, HB 1010.
Delivered to the Governor for his approval at 10:25 a.m., 4/19/91: HB 6, HB 8, HB 10, HB 233, HB 272, HB 335, HB 441, HB 465, HB 513, HB 514, HB 520, HB 524, HB 572, HB 607, HB 631, HB 643, HB 645, HB 651, HB 660, HB 703, HB 711, HB 715, HB 757, HB 782, HB 804, HB 807, HB 832, HB 837, HB 841, HB 857, HB 901, HB 906, HB 927, HB 930, HB 968.

REPORTS OF SELECT COMMITTEES

Conference Committee
on House Bill 26
Report No. 1, April 19, 1991

Mr. Speaker and Mr. President:

We, your Conference Committee on House Bill 26 met and considered Senate committee on Judiciary amendments, dated February 6, 1991, and recommend that House Bill 26 (reference copy -- salmon) be amended as follows:

1. Title, line 8.
Strike: "REQUIRING"
Insert: "AUTHORIZING"

2. Page 3, line 18.
Following: "~~AND~~"
Insert: "whether counseling for the birth parents is required and"

3. Page 8, line 21.
Strike: "46-8-109"
Insert: "40-8-109"

4. Page 9, line 14.
Strike: "46-8-109,"
Insert: "40-8-109, the department shall determine whether"

5. Page 9, line 15.
Strike: "MOTHER"
Insert: "parents"

6. Page 9, lines 15 and 16.
Following: "." on line 15
Strike: remainder of line 15 through "AVAILABLE." on line 16

7. Page 9, line 17.
Following: "(2)"
Strike: "COUNSELING"
Insert: "If required, counseling"

8. Page 9, line 21.
Strike: "ALTERNATIVES TO"

9. Page 9, line 22.
Following: "ADOPTION"
Insert: "procedures"
Following: "PARENTS"
Insert: "along with the alternative of nonrelinquishment"

10. Page 10, line 1.
Following: ";"
Insert: "and"

11. Page 10, line 4.
Following: "ADOPTION"
Strike: "; AND"
Insert: "."

12. Page 10, lines 5 and 6.
Strike: subsection (D) in its entirety

13. Page 11, line 13.
Following: "~~study~~"
Insert: "or home study"

And that this Conference Committee report be adopted.

For the House:	For the Senate:
Cody, Chair	Doherty, Chair
D. Brown	Towe
J. Rice	Grosfield

Conference Committee
on Senate Bill No. 191
Report No. 1, April 18, 1991

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill No. 191, met and considered the amendments in the House Highways and Transportation Standing Committee Report dated March 21, 1991 and we recommend that Senate Bill No. 191 (reference copy - salmon) be amended as follows:

1. Title, page 2, line 4.
Following: "~~AND~~"
Insert: "AND"
Strike: "AND 61-6-302,"

2. Page 45, line 19 through page 47, line 10.
Strike: section 15 in its entirety
Renumber: subsequent sections

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Weeding, Chair	McCulloch, Chair
Bruski	Madison
Farrell	Tunby

Free Conference Committee
on Senate Bill No. 37
Report No. 1

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 37 (reference copy - salmon), met, considered and recommend that Senate Bill No. 37 (reference copy - salmon) be amended as follows:

1. Title, lines 20 through 23.
Following: "~~APPROPRIATION;~~" on line 20
Strike: remainder of line 20 through "APPROPRIATION;" on line 23
Insert: "STATUTORILY APPROPRIATING A PORTION OF LOTTERY PROCEEDS TO FUND STATE GRANTS TO COUNTIES FOR YOUTH DETENTION SERVICES;"

2. Title, line 24.
Following: "15-25-122,"
Strike: "17-7-502,"
Insert: "23-5-1007, 23-5-1027,"

3. Page 21, line 8.
Following: line 7
Insert: "Section 16. Section 23-5-1027, MCA, is amended to read:

"23-5-1027. Disposition of revenue. (1) A minimum of 45% of the money paid for tickets or chances must be paid out as prize money. The prize money is statutorily appropriated, as provided in 17-7-502, to the lottery.

(2) Commissions paid to lottery ticket or chance sales agents are not a state lottery operating expense.

(3) That part of all gross revenue not used for the payment of prizes, commissions, and operating expenses, together with the interest earned on the gross revenue while the gross revenue is in the enterprise fund, is net revenue ~~and~~. Except for the amount required to be paid under subsection (5), net revenue must be paid quarterly from the enterprise fund established by 23-5-1026 to the superintendent of public instruction for distribution as state equalization aid to the public schools of Montana as provided in 20-9-343. The net revenue is statutorily appropriated, as provided in 17-7-502, to the superintendent of public instruction.

(4) The spending authority of the lottery may be increased in accordance with this section upon review and approval of a revised operation plan by the budget office.

(5) (a) For the fiscal year beginning July 1, 1991, 1.6% of the net revenue derived under subsection (3) must be paid quarterly to the board of crime control.

(b) For the fiscal year beginning July 1, 1992, and thereafter, 9.1% of the net revenue derived under subsection (3), but not to exceed $1 million in any fiscal year, must be paid to the board of crime control.

(c) All money paid to the board of crime control under this subsection (5) must be used to fund state grants to counties for youth detention services as authorized in [section 8]. The revenue is statutorily appropriated, as provided in 17-7-502, to the board of crime control."

Section 17. Section 23-5-1007, MCA, is amended to read:

"23-5-1007. Powers and duties of commission. The commission shall:

(1) establish and operate a state lottery and may not become involved in any other gambling or gaming;

(2) determine policies for the operation of the state lottery, supervise the director and his staff, and meet with the director at least once every 3 months to make and consider recommendations, set policies, determine types and forms of lottery games to be operated by the state lottery, and transact other necessary business;

(3) maximize the net revenue paid to the superintendent of public instruction and to the board of crime control under 23-5-1027 and ensure that all policies and rules adopted further revenue maximization;

(4) subject to 23-5-1027(1), determine the percentage of the money paid for tickets or chances to be paid out as prizes;

(5) determine the price of each ticket or chance and the number and size of prizes;

(6) provide for the conduct of drawings of winners of lottery games;

(7) carry out, with the director, a continuing study of the state lotteries of Montana and other states to make the state lottery more efficient, profitable, and secure from violations of the law;

(8) study and may enter into agreements with other lottery states to offer lottery games;

(9) prepare quarterly and annual reports on all aspects of the operation of the state lottery, including but not limited to types of games, gross revenue, prize money paid, operating expenses, net revenue to the state, contracts with gaming suppliers, and recommendations for changes to this part, and deliver a copy of each report to the governor, the department of administration, the legislative auditor, the president of the senate, the speaker of the house of representatives, and each member of the appropriate committee of each house of the legislature as determined by the president of the senate and the speaker of the house; and

(10) adopt rules relating to lottery staff sales incentives or bonuses and sales agents' commissions and any other rules necessary to carry out this part.""

Renumber: subsequent sections

4. Page 29, line 17 through page 32, line 19.
Strike: sections 25 and 26 in their entirety
Renumber: subsequent sections

5. Page 34, line 9.
Following: "1 through"
Strike: "18"
Insert: "20"
Following: "AND"
Strike: "20"
Insert: "22"

6. Page 34, line 11.
Following: "Section"
Strike: "19"
Insert: "21"

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Halligan, Chair	Strizich, Chair
Yellowtail	J. Rice
Gage	Cody

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 19, 1991

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 29, "AN ACT ~~PROHIBITING~~ RESTRICTING THE USE OF ~~REFLECTIVE OR DARKENING~~ TINTING OR SUNSCREENING MATERIAL ON THE WINDSHIELD OR SIDE OR REAR WINDOWS OF A MOTOR VEHICLE; AND AMENDING SECTION 61-9-405, MCA."

As presented to me, House Bill 29 would impose harsh financial burdens on car owners who have cars with tinted windows. The bill would mandate they replace these windows with clear, nontinted glass. The costs for many could be several thousand dollars.

I am forwarding to you an amendment which would "grandfather" in those vehicles currently equipped with tinted windows. In the future, manufacturers would have to meet the standards for the percentage of tinting set forth in the bill.

In addition, I suggest language exempting any hearse, ambulance or government vehicles. Good sense dictates these vehicles be allowed to continue the practice of using darkly tinted windows.

I urge your concurrence in my amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 29
(REFERENCE COPY, AS AMENDED)
April 19, 1991

1. Page 4, line 13.
Following: line 12
Insert: "(6) Subsection (4) does not apply to a vehicle that is equipped with tinted windows of the type and specifications that were installed by the manufacturer of the vehicle or to any hearse, ambulance, government vehicle, or any other vehicle to which a currently valid certificate of waiver is affixed as specified under [section 2]. a certificate of waiver must be issued by the department for a vehicle that is registered in this state on [the effective date of this act] and is equipped with a sunscreening device or other material prohibited under subsection (4) on [the effective date of this act]."

April 19, 1991

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 360, "AN ACT PROVIDING TERMS FOR MEMBERS OF THE RESERVED WATER RIGHTS COMPACT COMMISSION; ~~DELETING PROVISIONS THAT ESTABLISH A~~ EXTENDING THE TERMINATION DATE FOR THE SUSPENSION OF ADJUDICATION REQUIREMENTS; AND AMENDING ~~SECTION~~ SECTIONS 2-15-212, 85-2-217, ~~85-2-231,~~ AND 85-2-702, MCA."

Appropriately so, this legislation calls for legislative representation on the Reserved Water Rights Compact Commission. However, three current members are former legislators and should be currently serving in the House or Senate. By placing an immediate effective date on this legislation, my amendatory veto will allow for replacement of these three members with current legislators.

In addition, by placing an immediate effective date in the bill, new membership on the Commission will occur just at the time when negotiations with the Fort Belknap Tribe are commencing. It is appropriate that new legislative members be in place as this important process commences.

I urge your concurrence in my amendment.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 360
(REFERENCE COPY, AS AMENDED)
April 19, 1991

1. Title, line 8.
Strike: "AND"

2. Title, line 9.
Following: "MCA"
Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 7, line 23.
Following: line 22
Insert: "NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval."

The Honorable Hal Harper
Speaker of the House
House of Representatives
Capitol Station
Helena, Montana 59620

April 19, 1991

The Honorable Joseph P. Mazurek
President
Montana State Senate
Capitol Station
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto the adoption of House Bill 996, "AN ACT REPEALING THE EXISTING STATE INDIVIDUAL INCOME TAX AND IMPOSING A STATE INCOME TAX BASED ON A PERCENTAGE OF THE FEDERAL INCOME TAX PAYABLE ON MONTANA TAXABLE INCOME; AMENDING SECTIONS 7-14-1133, 7-34-2416, 13-37-218, 13-37-303, 15-30-101, 15-30-125, 15-30,128, 15-30-145, 15-30-149, 15-30-162, 15-30-241, 15-30-303, 15-30-323, 15-31-131, 15-31-202, 15-32-303, 15-33-106, 19-3-105, 19-4-706, 19-5-704, 19-6-705, 19-7-705, 19-8-805, 19-21-212, 53-6-111, AND 67-11-303, MCA; REPEALING SECTIONS 15-30-103, 15-30-105, 15-30-106, 15-30-108, 15-30-110, 15-30-111, 15-30-112, 15-30-113, 15-30-114, 15-30-115, 15-30-116, 15-30-117, 15-30-121, 15-30-122, 15-30-123, 15-30-126, 15-30-131, 15-30-132, 15-30-135, 15-30-136, 15-30-137, 15-30-142, 15-30-143, 15-30-156, 15-30-157, 19-9-1005, ~~AND~~ 19-13-1003, AND 80-12-211, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND ~~A RETROACTIVE~~ AN APPLICABILITY DATE."

This bill raises taxes on working couples in Montana by over $50 million dollars during the next five years. It is clear that this is a general tax increase and is therefore unacceptable.

Montanans have just completed the filing of their state and federal income taxes. When they multiply their Federal taxes by 30% as called for in this bill, they know that "revenue neutral" really means they will pay more taxes.

This bill is particularly onerous to senior citizens. It's supposed "revenue neutrality" actually results in an increased tax burden on retirees and senior citizens with qualified pension income of 64%.

In addition, Montanans must not be subject to the whims of Federal tax policy. Under this legislation, our state runs the risk of losing stability and control of our tax system by subjecting it to the dictates of politicians on the Potomac. When Montana's income tax is so closely tied to federal tax

policy, Montana taxpayers will be stuck with double increases. They will be burdened with one increase for any federal boost, and then an automatic increase because of the coordination of Montana's income tax that this bill creates.

By enacting this legislation, the Legislature has abdicated its responsibility to determine tax policy for Montana. They turn that responsibility over to the federal government for all their future actions and future generations of Montanans. This is an abrogation of duty which is not in the best interest of Montana.

The flat tax will eliminate federal tax deductibility on state income tax returns and it will eliminate the advantage that working couples have in filing separate state returns. Why should Montanans - who support family values - be forced to pay state taxes based on a federal formula that is so unfair to families?

Finally, this bill will not do what its supporters claim. They say it will simplify tax filing for Montanans. Untrue. Anyone who receives interest from U.S. savings bonds or other federal notes or bonds or who receives unemployment insurance must still compute his or her income tax in the old way. The same is true for anyone who gets tips as part of their work, receives military pay or is a native American.

Montanans have seen tax increases virtually every year of the last two decades. Montanans, and this administration, are asking when does it all stop. It stops now - no new taxes.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper
Speaker of the House
House of Representatives
Capitol Station
Helena, Montana 59620

April 19, 1991

The Honorable Joseph P. Mazurek
President
Montana State Senate
Capitol Station
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto the adoption of House Bill 1007, "AN ACT INCREASING INDIVIDUAL AND CORPORATE INCOME TAXES TO PROVIDE FUNDING FOR ELEMENTARY, SECONDARY, AND HIGHER EDUCATION; APPROPRIATING MONEY TO THE SCHOOL FOUNDATION PROGRAM AND THE UNIVERSITY SYSTEM; AMENDING

~~SECTION~~ SECTIONS 15-1-501, 15-31-121, AND 20-9-343, MCA; AND PROVIDING AN EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

No new taxes. I stated those words publicly to newly elected legislative members and Montana citizens early in December 1990 in releasing a balanced executive budget.

That budget was balanced without any general tax increase and provided an appropriate ending fund balance. That budget funded needed and necessary services and provided significant increases for both education and human services as well as a number of progressive programs for economic growth, improved human services and government organization. The University system received a $27 million increase, including $10 million for the University System pay plan. Fifty million dollars were allocated for long-range building funds for capital improvements. The Human Services budget received an additional $165 million. Family Services received an additional $15 million. A state employee pay plan was proposed that funded a pay increase for state workers that averages 10% over two years. This proposal is the best pay plan proposal for state employees in a decade and instituted a market-based concept to attract and retain quality workers.

No new taxes. Those words were reiterated formally in my address made on the floor of the Montana House of Representatives in January 1991 in presenting a creative and ambitious legislative agenda.

No new taxes. I continued to express those words time and time again during the deliberations of this legislature. I made that commitment to the citizens of Montana because they have asked me to do so. There has been no demonstrated need to increase taxes.

Once again, in my responsibilities as Governor under the Constitution of Montana, through the formal message known as a veto, I must declare, "no new taxes."

House Bill 1007 raises taxes for Montana taxpayers. The majority party of this Assembly cannot, through verbal gymnastics, call a 5% surtax anything but more new taxes. In their own words, taken directly from the language of House Bill 1007, this Assembly directs by law that "each person filing a Montana individual income tax return shall add as a surtax 5% of the tax liability, and the amount arrived at is the amount due to the state." Borrowing the words of Noah Webster in defining tax, this is to "make a heavy, onerous and rigorous demand" upon an individual. The people of Montana cannot afford these additional demands placed on their take home pay any longer.

Not only does this legislation direct that every taxpayer pay additional taxes, it demands that the state tax collector retroactively apply this tax to wages already earned by our people. This means that Montana's taxpayers will pay a 10% surcharge for the first six months this tax increase is in effect and 5% every year to follow. Since this surtax has no sunset provision, no ending date, it is a tax increase which goes on forever.

Montanans have seen tax increases virtually every year of the last two decades. Montanans, and this administration, are asking when does it all stop. It stops now - no new taxes.

I therefore veto House Bill 1007.

Sincerely,

STAN STEPHENS
Governor

Representative Driscoll moved the House recess until 4:30 p.m. Motion carried.

House recessed at 3:20 p.m.

House reconvened at 4:30 p.m. Mr. Speaker Pro Tempore in the Chair.

SPECIAL ORDERS OF THE DAY

PROCLAMATION

WHEREAS, Belgrade School District #44 was officially established in April, 1891; and

WHEREAS, Belgrade School District #44 has continually served the Belgrade community, providing a quality education to countless Belgrade children; and

WHEREAS, the dedication of all past and present District #44 trustees, administrators and teachers is sincerely appreciated by all Belgrade area residents; and

WHEREAS, the students of the Martha Fox Heck and Thomas B. Quaw, Belgrade Middle, and Belgrade High schools will be celebrating this momentous occasion on Friday, April 19, 1991.

NOW, THEREFORE, IN RECOGNITION OF 100 YEARS OF EXCELLENCE IN EDUCATION IN BELGRADE, BE IT PROCLAIMED that Friday, April 19, 1991 be known as School District #44 Day in Belgrade.

Dated this 15th day of April, 1991.

City of Belgrade
Lee C. Stevens, Mayor

Attest: Marilyn Foltz
Clerk/Treasurer

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/19/91
Examined by the sponsor and found to be correct:

HB 4 - Bardanouve
HB 103 - Russell
HB 365 - Swysgood
HB 467 - Lee
HB 477 - Kadas
HB 489 - O'Keefe
HB 569 - J. Rice
HB 579 - Driscoll
HB 696 - J. Rice
HB 704 - Wanzenried
HB 793 - M. Hanson
HB 883 - R. DeBruycker
HB 904 - Kasten
HB 923 - Darko
HB 934 - Thomas
HB 949 - Tunby
HB 977 - Bradley
HB 1008 - Bardanouve

Delivered to the Secretary of State at 3:45 p.m., 4/19/91: HB 353

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 451
Report No. 1, April 19, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered House Bill 451 and recommend that House Bill 451 (reference copy -- salmon) be amended as follows:

1. Page 2, line 7.
Following: the first "infliction"
Insert: ","
Strike: "OR"

2. Page 2, line 8.
Following: "~~offender~~"
Insert: ", or threatened infliction"

3. Page 2, line 10.
Following: ":"
Insert: "or"

4. Page 2, lines 11 through 14.
Strike: subsection (b) in its entirety
Renumber: subsequent subsection

5. Page 2, lines 16 and 17.
Following: "~~another~~" on line 16
Strike: remainder of line 16 through "VICTIM" on line 17

6. Page 38, line 13.
Following: line 12
Insert: "NEW SECTION. Section 8. Coordination. The amendment in section 1, Chapter 218, Laws of 1991, inserting subsection (2)(b) of 45-5-501 is void."
Renumber: subsequent section

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
Brooke, Chair	Svrcek, Chair
Toole	Doherty
Mercer	Grosfield

Free Conference Committee
on House Bill 913
Report No. 1, April 19, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered House Bill 913 and recommend that House Bill 913 (reference copy -- salmon) be amended as follows:

1. Page 4, line 3.
Strike: "(1)"

2. Page 4, lines 16 through 25.
Strike: lines 16 through 25 in their entirety

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
J. Johnson, Chair	Jergeson, Chair
Schye	Jacobson
	Nathe

MOTIONS

Representative Driscoll moved the House accede to the request of the Senate to appoint conference committees to meet with like committees from the Senate to confer on House amendments to SB 94, SB 154, SB 192, SB 246, SB 272, SB 301, SB 326, SB 333, SB 370, SB 428, SB 434, SB 435, SB 436, SB 461 and SB 462. Motion carried.

Representative Driscoll moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on SB 226. Motion carried.

Representative Driscoll moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 2. Motion carried.

Representative Driscoll moved the House dissolve the conference committee on House amendments to SB 189 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on SB 189. Motion carried.

Representative Driscoll moved the Speaker be authorized to appoint conference committees to meet with like committees from the Senate to confer on Governor's amendments to HB 131 and HB 589. Motion carried.

Representative O'Keefe moved the rules be suspended to accept SB 472 from the Senate for consideration. Motion carried.

Representative Mercer moved the rules be suspended to accept SB 300 from the Senate for consideration. Motion failed.

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the conference committee on Senate amendments to HB 2:

Representative Peck, Chairman
Representative Kadas
Representative Cobb

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 94:

Representative Raney, Chairman
Representative Connelly
Representative Grady

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 192:

Representative Connelly, Chairman
Representative Davis
Representative Clark

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 272:

Representative Cromley, Chairman
Representative S. Rice
Representative Wallin

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 301:

Representative J. Brown, Chairman

Representative Southworth
Representative Gould

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 326:

Representative Stickney, Chairman
Representative Barnhart
Representative R. Johnson

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 333:

Representative Harrington, Chairman
Representative Elliott
Representative Foster

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 370:

Representative Ream, Chairman
Representative McCaffree
Representative Hoffman

Mr. Speaker appointed the following members to the free conference committee on SB 226:

Representative Driscoll, Chairman
Representative O'Keefe
Representative J. Rice

Mr. Speaker appointed the following members to the free conference committee on SB 189:

Representative Cohen, Chairman
Representative O'Keefe
Representative Gilbert

Mr. Speaker appointed the following members to the conference committee on Governor's amendments to HB 131:

Representative Brooke, Chairman
Representative Barnhart
Representative Grady

Mr. Speaker appointed the following members to the conference committee on Governor's amendments to HB 589:

Representative Peck, Chairman
Representative Kimberley
Representative Zook

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bill was introduced, read first time, and referred to committee:

SB 472, introduced by Mazurek, Crippen, Waterman, M. Hanson, Stickney, Svrcek, Yellowtail, Weeding, Devlin, Bradley, Zook, McCaffree, referred to Committee on Judiciary

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Southworth in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 650 - Representative Squires moved the conference committee report #1 to HB 650 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 84

Noes: Barnett, Benedict, Bergsagel, Boharski, Cromley, R. DeBruycker, Feland, Gilbert, Gould, Hayne, Kasten, Knox, Simpkins, Spring, Wallin, Zook.
Total 16

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 26 - Representative Cody moved the conference committee report #1 to HB 26 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J.

DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Clark, Kadas, Thomas.
Total 3

HB 672 - Representative Fagg moved the conference committee report #1 to HB 672 be adopted. Motion carried as follows:

Ayes: Bachini, Barnett, Benedict, Bergsagel, Boharski, J. Brown, Clark, Cobb, Cody, Cromley, R. DeBruycker, Dowell, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, Scott, Simpkins, Spring, Stang, Steppler, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Whalen, Wyatt, Zook.
Total 59

Noes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, Cocchiarella, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Driscoll, Elliott, S. J. Hansen, Harrington, Kadas, Kilpatrick, Kimberley, Larson, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Raney, S. Rice, Russell, Schye, Southworth, Squires, Stickney, Toole, Wanzenried, Mr. Speaker.
Total 39

Excused: None.
Total 0

Absent or not voting: Cohen, Madison.
Total 2

HB 551 - Representative O'Keefe moved the free conference committee report #1 to HB 551 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb,

Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 747 - Representative Lee moved the free conference committee report #1 to HB 747 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 763 - Representative Stang moved the free conference committee report #1 to HB 763 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bergsagel, Kasten, Measure, Phillips, Steppler, Wanzenried.
Total 6

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 987 - Representative Cromley moved the free conference committee report #1 to HB 987 be adopted. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Bachini, Bergsagel, Boharski, Cobb, J. DeBruycker, Dowell, Feland, Foster, Kasten, Lee, Phillips, Stang.
Total 12

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 988 - Representative Cromley moved the free conference committee report #1 to HB 988 be adopted. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Bachini, Boharski, J. DeBruycker, Dowell, Foster, S. J. Hansen, Kasten, McCulloch, O'Keefe, Peck, Peterson, Phillips, Stang.
Total 13

Excused: None.
Total 0

Absent or not voting: S. Rice.
Total 1

HB 989 - Representative Cromley moved the free conference committee report #1 to HB 989 be adopted. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Elliott, Ellis, Ellison, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wyatt, Zook, Mr. Speaker.
Total 79

Noes: Bachini, Bergsagel, Boharski, Cobb, J. DeBruycker, Dowell, Driscoll, Feland, Foster, Grinde, Kasten, Lee, McCulloch, Mercer, Peterson, Phillips, Stang, Swysgood, Thoft, Wanzenried, Whalen.
Total 21

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 57 - Representative Strizich moved the conference committee report #1 to SB 57 be adopted.

Representative Measure made a substitute motion the conference committee report #1 to SB 57 be not adopted. Motion failed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Becker, Bergsagel, Boharski, Bradley, Brooke, Cobb, Cohen, Connelly, Cromley, J. DeBruycker, R. DeBruycker, Dowell, Ellison, Feland, Gould, H. S. Hanson, M. Hanson, Harrington, Hayne, Kadas, Knox, Lee, Madison, Measure, Mercer, L. Nelson, T. Nelson, Peterson, Phillips, Raney, Ream, Russell, Southworth, Spring, Swysgood, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 45

Noes: Bachini, Beck, Benedict, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Daily, Darko, Davis, Dolezal, Driscoll, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, McCaffree, McCarthy, McCulloch, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, J. Rice, S. Rice, Scott, Simpkins, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Zook.
Total 53

Excused: Elliott.
Total 1

Absent or not voting: Schye.
Total 1

Report adopted.

SB 191 - Representative McCulloch moved the conference committee report #1 to SB 191 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Feland, Gervais, Measure, O'Keefe.
Total 4

Excused: Elliott.
Total 1

Absent or not voting: Grinde, Lee.
Total 2

SB 37 - Representative Strizich moved the free conference committee report #1 to SB 37 be adopted.

Representative Kadas made a substitute motion the free conference committee report #1 to SB 37 be not adopted.

Representative Bardanouve moved consideration of the free conference committee report #1 to SB 37 be passed for the day. Motion carried.

HJR 54 - Representative Brooke moved HJR 54 do pass. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 76

Noes: Barnett, Bergsagel, Clark, Daily, R. DeBruycker, Ellison, Feland, Gilbert, Hayne, Kasten, Menahan, Pavlovich, Peterson, Phillips, Quilici, Simpkins, Swysgood, Thoft, Wallin, Zook.
Total 20

Excused: Elliott.
Total 1

Absent or not voting: Bardanouve, Grinde, Spring.
Total 3

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker Pro Tempore in the Chair. Chairman Southworth moved the adoption of the committee report. Report adopted. (84-12)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/19/91
Signed by the Speaker at 4:30 p.m., 4/19/91: HB 30, HB 125, HB 145, HB 234, HB 285, HB 321, HB 334, HB 354, HB 386, HB 508, HB 558, HB 706, HB 723, HB 830, HB 853, HB 999, HJR 45.

Delivered to the Governor for his approval at 4:05 p.m., 4/19/91: HB 9, HB 299, HB 371, HB 414, HB 491, HB 498, HB 560, HB 728, HB 746, HB 760, HB 777, HB 842, HB 937, HB 940, HB 942, HB 964, HB 978, HB 1010.

TAXATION (Harrington, Chairman): 4/19/91
HJR 55, introduced bill, be amended as follows:

1. Page 2, lines 10 through 23.
Strike: "That" on line 10 through "Revenue." on line 23

2. Page 3, lines 1 and 2.
Strike: "by March 1, 1992"

3. Page 3, line 9.
Following: line 8
Insert: "BE IT FURTHER RESOLVED, that the joint interim study committee work closely with the Department of Revenue and the Legislative Fiscal Analyst to obtain consistent, stable, and accurate data."

And, as amended, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

Conference Committee
on House Bill 518
Report No. 1, April 19, 1991

Mr. Speaker and Mr. President:

We, your Conference Committee on House Bill 518 met and considered the Senate committee on Taxation amendments, dated April 5, 1991, and recommend that the Senate amendments be accepted in their entirety.

And that this Conference Committee report be adopted.

For the House:	For the Senate:
Schye, Chair	Halligan, Chair
O'Keefe	Doherty
Messmore	Thayer

Free Conference Committee
on House Bill 33
Report No. 1, April 19, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered House Bill 33 and recommend that House Bill 33 (reference copy -- salmon) be amended as follows:

1. Title, line 8.
Strike: "PROVIDING AN EXCEPTION;"

2. Page 1, lines 22 and 23.
Strike: subsection (2) in its entirety
Renumber: subsequent subsection

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
O'Keefe, Chair	Williams, Chair
Measure	Bianchi
Spring	Grosfield

MESSAGES FROM THE SENATE

House bills not concurred in and returned to the House: 4/13/91

HB 692, introduced by Gould
HB 764, introduced by Hayne

House amendments to Senate bills concurred in: 4/19/91

SB 384, introduced by Lynch
SB 412, introduced by Crippen
SB 415, introduced by Vaughn
SB 416, introduced by Williams
SB 445, introduced by Doherty

Conference committee report #1 adopted: 4/19/91

HB 511, introduced by R. Johnson
HB 698, introduced by Scott

Free conference committee report #1 adopted: 4/19/91

HB 244, introduced by Thomas

Governor's amendments concurred in: 4/19/91

SB 229, introduced by Fritz
SB 256, introduced by Gage

The Senate, on 4/17/91, failed to concur in House amendments to SB 154 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 154.

President Mazurek appointed the following members:

Senator Svrcek, Chairman
Senator Towe
Senator Nathe

The Senate, on 4/17/91, failed to concur in House amendments to SB 246 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 246.

President Mazurek appointed the following members:

Senator Svrcek, Chairman
Senator Towe
Senator Nathe

The Senate, on 4/18/91, failed to concur in House amendments to SB 428 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 428.

President Mazurek appointed the following members:

Senator Yellowtail, Chairman
Senator Pinsoneault
Senator Nathe

The Senate, on 4/18/91, failed to concur in House amendments to SB 434 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 434.

President Mazurek appointed the following members:

Senator Stimatz, Chairman
Senator Halligan
Senator Beck

The Senate, on 4/18/91, failed to concur in House amendments to SB 435 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 435.

President Mazurek appointed the following members:

Senator Doherty, Chairman
Senator Jergeson
Senator Brown

The Senate, on 4/18/91, failed to concur in House amendments to SB 436 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 436.

President Mazurek appointed the following members:

Senator Koehnke, Chairman
Senator Eck
Senator Brown

The Senate, on 4/18/91, failed to concur in House amendments to SB 461 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 461.

President Mazurek appointed the following members:

Senator Eck, Chairman
Senator Waterman
Senator Gage

The Senate, on 4/18/91, failed to concur in House amendments to SB 226 and appointed a free conference committee, requesting the House appoint a like committee to confer on SB 226.

President Mazurek appointed the following members:

Senator Halligan, Chairman
Senator Yellowtail
Senator Harp

The Senate, on 4/19/91, acceded to the request of the House, by motion, dissolved the conference committee on Senate amendments to HB 987 and appointed a free conference committee to meet with a like committee from the House to confer on HB 987.

President Mazurek appointed the following members:

Senator Lynch, Chairman
Senator Kennedy
Senator Thayer

The Senate, on 4/19/91, acceded to the request of the House, by motion, dissolved the conference committee on Senate amendments to HB 988 and appointed a free conference committee to meet with a like committee from the House to confer on HB 988.

President Mazurek appointed the following members:

Senator Lynch, Chairman
Senator Kennedy
Senator Thayer

The Senate, on 4/19/91, dissolved the conference committee on House amendments to SB 16 and appointed a free conference committee to meet with a like committee from the House to confer on SB 16.

President Mazurek appointed the following members:

Senator Kennedy, Chairman
Senator Bruski
Senator Gage

The Senate requests that the House appoint a like committee to confer on SB 16.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 306, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 93

Noes: Boharski, Driscoll, Measure, O'Keefe, Scott, Wyatt.
Total 6

Excused: Elliott.
Total 1

Absent or not voting: None.
Total 0

HB 568, conference committee report #1, adopted as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Darko, Davis, Dolezal, Foster, Galvin, Gervais, Gould, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Madison, McCarthy, McCulloch, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Whalen, Wyatt, Mr. Speaker.
Total 57

Noes: Bachini, Barnett, Bergsagel, Boharski, Cobb, Cohen, Daily, J. DeBruycker, R. DeBruycker, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Gilbert, Grady, Grinde, H. S. Hanson, Hayne, Kasten, Larson, Lee, McCaffree, Measure, Mercer, L. Nelson, Peck, Phillips, Quilici, Raney, Scott, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Wallin, Wanzenried, Zook.
Total 42

Excused: Elliott.
Total 1

Absent or not voting: None.
Total 0

HB 836, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 64

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cromley, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Measure, L. Nelson, T. Nelson, Peterson, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 35

Excused: Elliott.
Total 1

Absent or not voting: None.
Total 0

HJR 32, conference committee report #1, adopted as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Dolezal, Dowell, Driscoll, Ellis, Fagg, Forrester, Galvin, Gervais, Gould, Grinde, S. J. Hansen, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 67

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Connelly, Davis, J. DeBruycker, R. DeBruycker, Ellison, Feland, Foster, Gilbert, Grady, H. S. Hanson, Hayne, Hoffman, Knox, Larson, Mercer, L. Nelson, Peck, Peterson, Phillips, Simpkins, Spring, Steppler, Thomas, Wallin, Zook.
Total 31

Excused: Elliott.
Total 1

Absent or not voting: D. Brown.
Total 1

HB 139, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 85

Noes: Barnett, Bergsagel, Boharski, Cobb, R. DeBruycker, Feland, Hayne, Hoffman, Simpkins, Swysgood, Thoft, Tunby, Zook.
Total 13

Excused: Elliott.
Total 1

Absent or not voting: Kasten.
Total 1

HB 500, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Bergsagel, Boharski, Daily, Ellison, McCaffree, McCulloch, Pavlovich, Spring.
Total 8

Excused: Elliott.
Total 1

Absent or not voting: None.
Total 0

HB 719, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Benedict, Bergsagel, Cromley, Ellison.
Total 4

Excused: Elliott.
Total 1

Absent or not voting: Kasten, Larson.
Total 2

HB 833, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: Bergsagel, Cody, J. DeBruycker, R. DeBruycker, Ellison, Feland, Grinde, McCulloch, L. Nelson, Phillips, Stang, Steppler, Swysgood, Thoft, Thomas, Toole.
Total 16

Excused: Elliott.
Total 1

Absent or not voting: None.
Total 0

SB 77, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Elliott.
Total 1

Absent or not voting: Brooke.
Total 1

MOTIONS

Representative Driscoll moved SB 472 be taken from the Committee on Judiciary and rereferred to the Committee on Natural Resources. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 8:00 a.m., Saturday, April 20, 1991. Motion carried.

House adjourned at 6:20 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

EIGHTY-FIFTH LEGISLATIVE DAY

Helena, Montana
April 20, 1991

House Chambers
State Capitol

House convened at 8:10 a.m. Mr. Speaker Pro Tempore in the Chair. Invocation by Representative Hayne. Pledge of Allegiance to the Flag.

Roll call. All members present except Cobb, Driscoll, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/20/91
Examined by the sponsor and found to be correct:

HB 179 - Phillips
HB 298 - Cobb
HB 340 - Ream
HB 393 - Cobb
HB 448 - Ream
HB 579 - Strizich
HB 731 - Ream
HB 778 - D. Brown

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Darko moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative R. Johnson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 29 - Representative Kimberley moved Governor's amendments to HB 29 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: O'Keefe, J. Rice, Whalen.
Total 3

Excused: Cobb, Driscoll.
Total 2

Absent or not voting: Clark.
Total 1

HB 360 - Representative Harper moved Governor's amendments to HB 360 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Cobb, Driscoll.
Total 2

Absent or not voting: Russell.
Total 1

HB 518 - Representative Messmore moved the conference committee report #1 to HB 518 be adopted. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Bachini, Boharski, Lee, McCaffree, Peck.
Total 5

Excused: Cobb, Driscoll.
Total 2

Absent or not voting: Clark.
Total 1

HB 33 - Representative O'Keefe moved the free conference committee report #1 to HB 33 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Bergsagel, Boharski, J. DeBruycker, Feland, Grinde, Keller, McCaffree, T. Nelson, Swysgood.
Total 9

Excused: Cobb, Driscoll.
Total 2

Absent or not voting: R. DeBruycker.
Total 1

HB 451 - Representative Brooke moved the free conference committee report #1 to HB 451 be adopted. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Bachini, Bergsagel, Clark, Daily, Forrester, M. Hanson, R. Johnson, Knox, Measure, Pavlovich, Peck.
Total 11

Excused: Cobb, Driscoll.
Total 2

Absent or not voting: None.
Total 0

HB 913 - Representative J. Johnson moved the free conference committee report #1 to HB 913 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Bergsagel, Boharski, Clark, Feland, Grinde, H. S. Hanson, R. Johnson.
Total 7

Excused: Cobb, Driscoll.
Total 2

Absent or not voting: D. Brown.
Total 1

Representative Darko moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker Pro Tempore in the Chair. Chairman R. Johnson moved the adoption of the committee report. Report adopted. (95-3)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 26, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang,

Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Cobb, Driscoll.
Total 2

Absent or not voting: None.
Total 0

HB 650, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, S. J. Hansen, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Steppler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 64

Noes: Barnett, Benedict, Bergsagel, Boharski, Cromley, J. DeBruycker, R. DeBruycker, Ellison, Feland, Gilbert, Gould, Grady, Grinde, H. S. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Measure, Mercer, L. Nelson, T. Nelson, Peterson, Phillips, Simpkins, Spring, Stang, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 34

Excused: Cobb, Driscoll.
Total 2

Absent or not voting: None.
Total 0

HB 672, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires,

Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Boharski, Elliott, Measure, Nisbet, Peck.
Total 5

Excused: Cobb, Driscoll.
Total 2

Absent or not voting: None.
Total 0

HB 551, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Bergsagel, Peterson.
Total 2

Excused: Cobb, Driscoll.
Total 2

Absent or not voting: None.
Total 0

HB 747, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich,

Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Feland, Gould, Spring.
Total 3

Excused: Cobb, Driscoll.
Total 2

Absent or not voting: Toole.
Total 1

HB 763, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bergsagel, Kasten, Steppler.
Total 3

Excused: Cobb, Driscoll.
Total 2

Absent or not voting: Hoffman.
Total 1

HB 987, free conference committee report #1, adopted as follows:

Ayes: Bardanouve, Barnett, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Elliott, Ellis, Ellison, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: Bachini, Bergsagel, Boharski, J. DeBruycker, Dowell, Feland, Foster, Grinde, Kasten, Lee, Peck, Peterson, Phillips, Scott, Swysgood, Thoft.
Total 16

Excused: Cobb, Driscoll.
Total 2

Absent or not voting: Barnhart.
Total 1

HB 988, free conference committee report #1, adopted as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Elliott, Ellis, Ellison, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 80

Noes: Bachini, Bergsagel, Boharski, D. Brown, Clark, J. DeBruycker, Dowell, Feland, Foster, Hayne, Kasten, Lee, Peck, Peterson, Phillips, Scott, Stang, Swysgood.
Total 18

Excused: Cobb, Driscoll.
Total 2

Absent or not voting: None.
Total 0

HB 989, free conference committee report #1, adopted as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, R. DeBruycker, Dolezal, Elliott, Ellis, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, Measure, Menahan, Messmore, T. Nelson, Nisbet, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 70

Noes: Bachini, Bergsagel, Boharski, D. Brown, Daily, J. DeBruycker, Dowell, Ellison, Feland, Foster, Grinde, Hayne, Kasten, Lee, McCulloch, Mercer, L. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Scott, Stang,

Swysgood, Thoft, Wanzenried.
Total 27

Excused: Cobb, Driscoll.
Total 2

Absent or not voting: R. Johnson.
Total 1

SB 57, conference committee report #1, adopted as follows:

Ayes: Bachini, Barnhart, Beck, Benedict, D. Brown, J. Brown, Cocchiarella, Cody, Connelly, Daily, Darko, Dolezal, Fagg, Forrester, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Ream, J. Rice, S. Rice, Schye, Scott, Stang, Steppler, Stickney, Strizich, Zook.
Total 50

Noes: Bardanouve, Barnett, Becker, Bergsagel, Boharski, Bradley, Brooke, Clark, Cohen, Cromley, Davis, J. DeBruycker, R. DeBruycker, Dowell, Elliott, Ellis, Ellison, Feland, Foster, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Knox, Lee, Measure, Mercer, L. Nelson, Peterson, Phillips, Raney, Russell, Simpkins, Southworth, Spring, Squires, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 48

Excused: Cobb, Driscoll.
Total 2

Absent or not voting: None.
Total 0

3rd reading

SB 191, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Cobb, Driscoll.
Total 2

Absent or not voting: Lee, T. Nelson.
Total 2

MOTIONS

Representative Darko moved the House accede to the request of the Senate to appoint conference committees to meet with like committees from the Senate to confer on House amendments to SB 154, SB 246, SB 266, SB 359, SB 379, SB 425, SB 434, SB 435, SB 436, SB 461, SB 462, SJR 21. Motion carried.

Representative Darko moved the Speaker be authorized to appoint conference committees to meet with like committees from the Senate to confer on Senate amendments to HB 454 and HB 795. Motion carried.

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the conference committee on Senate amendments to HB 454:

Representative Bradley, Chairman
Representative Quilici
Representative Cobb

Mr. Speaker appointed the following members to the conference committee on Senate amendments to HB 795:

Representative S. Rice, Chairman
Representative Harper
Representative Zook

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 154:

Representative L. Nelson, Chairman
Representative Toole
Representative Hoffman

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 246:

Representative Wyatt, Chairman
Representative Whalen
Representative Boharski

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 266:

Representative O'Keefe, Chairman
Representative Barnhart
Representative Knox

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 359:

Representative Stang, Chairman
Representative J. DeBruycker
Representative Foster

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 379:

Representative Menahan, Chairman
Representative Wyatt
Representative Gould

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 425:

Representative Brooke, Chairman
Representative Toole
Representative Swysgood

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 434:

Representative Brooke, Chairman
Representative Beck
Representative Swysgood

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 435:

Representative McCarthy, Chairman
Representative Kadas
Representative Thomas

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 436:

Representative Cohen, Chairman
Representative Schye
Representative Gilbert

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 461:

Representative Ream, Chairman
Representative Wanzenried
Representative T. Nelson

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 462:

Representative Harrington, Chairman
Representative Madison
Representative Foster

Mr. Speaker appointed the following members to the conference committee on House amendments to SJR 21:

Representative Galvin, Chairman
Representative Wyatt
Representative R. DeBruycker

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Darko moved the House adjourn until 8:30 a.m., Monday, April 22, 1991. Motion carried.

House adjourned at 8:35 a.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

EIGHTY-SIXTH LEGISLATIVE DAY

Helena, Montana
April 22, 1991

House Chambers
State Capitol

House convened at 8:35 a.m. Mr. Speaker in the Chair. Invocation by Representative Cody. Pledge of Allegiance to the Flag.

Roll call. All members present except Elliott, Gould, Harrington, Stang, Steppler, Toole, excused. Quorum present.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/22/91
Correctly printed: HJR 55.
Correctly engrossed: HJR 54.
Signed by the Speaker at 10:00 a.m., 4/20/91: HB 4, HB 103, HB 179, HB 298, HB 340, HB 365, HB 393, HB 448, HB 467, HB 477, HB 489, HB 569, HB 579, HB 595, HB 696, HB 704, HB 731, HB 778, HB 793, HB 876, HB 883, HB 904, HB 923, HB 934, HB 949, HB 977, HB 1008, SB 26, SB 69, SB 171, SB 238, SB 242, SB 278, SB 279, SB 288, SB 299, SB 438, SB 468, SJR 15, SJR 26, SJR 27.

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 20, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 37, 110, 159, 162, 187, 192, 195, 252, 256, 261, 271, 300, 328, 336, 359, 418, 419, 431, 446, 472, 557, 576, 668, 739, 761, 767, 882, 888, 909 and 948 on April 20, 1991.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 20, 1991

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory

veto to House Bill 152, "AN ACT TO REVISE THE STATE MINIMUM WAGE TO REQUIRE THAT THE STATE MINIMUM WAGE BE SET IN ACCORDANCE WITH FEDERAL LAW; TO PROVIDE AN EXCEPTION FOR CERTAIN BUSINESSES; TO REPEAL THE NEW HIRE WAGE STATUTE; AMENDING SECTION 39-3-409, MCA; REPEALING SECTION 39-3-410, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

When Congress enacted the federal minimum wage in 1989, there was a recognition that there would be a substantial impact on small businesses. Therefore, the federal statute exempts retail businesses with annual gross sales of less than $500,000.

Undeniably, raising the minimum wage will have a ripple effect on all jobs as pressure is exerted to elevate the level of wages at all levels.

History has taught us that increasing the minimum wage does impact the number of jobs available and runs counter to the goal of minimum wage legislation. Unfortunately, as the minimum wage is increased small businesses are forced to employ fewer workers.

In these times of slow economic growth we must do everything possible to protect existing jobs and not create a situation that will encourage the elimination of employment opportunities.

The legislature recognized this concern when it amended this bill to create a lower minimum wage of $4.00 for those businesses with annual gross sales of less than $110,000. While this was an effort to assist Montana's main street small businesses, it does not go far enough.

I must amend House Bill 152 to increase the threshold to $250,000 in gross sales. All businesses will experience an increase in the minimum wage. My amendment will reduce the impact on those businesses least able to pay.

I urge your concurrence with my amendment.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 152
(REFERENCE COPY, AS AMENDED)
April 20, 1991

1. Page 1, line 24.
Strike: "$110,000"
Insert: "$250,000"

The Honorable Hal Harper
Speaker of the House
State Capitol

April 20, 1991

Helena, Montana 59620

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 233, "AN ACT PROVIDING A FIRST RIGHT OF PURCHASE OF ~~RAILROAD RIGHT-OF-WAY~~ OR THE RIGHT TO MATCH A COMPETING LEASE OFFER FOR LEASED LAND TO LEASEHOLDERS OF THE LAND~~; TO LANDOWNERS ADJACENT TO THE LAND, OR TO A PERSON OR ENTITY WHO WISHES TO PURCHASE THE LAND FOR PUBLIC RECREATIONAL USE; REQUIRING THE PUBLIC SERVICE COMMISSION TO ADOPT RULES TO IMPLEMENT THE RIGHT~~ WITHIN 300 FEET OF A RAILROAD RIGHT-OF-WAY; REQUIRING COMPENSATION TO THE LESSEE IF THE LEASE IS TERMINATED; ~~AND~~ AMENDING SECTION 69-14-553, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

The following amendments will streamline and clarify certain sections of House Bill 233. In redefining "transportation", the amendment will make it more specific and understandable. Discussion of individuals who have followed the legislation believe the amendment will avoid unnecessary confusion and potential litigation. This applies to the second amendment regarding "other material breach" as well.

The final amendment "of the land", which is deleted in the legislation will make the terms of the legislation consistent throughout and not be subject to conflicting or confusing interpretations.

Representative Francis Bardanouve, the sponsor of this legislation, concurs with the amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 233
(REFERENCE COPY, AS AMENDED)
April 20, 1991

1. Page 2, line 18.
Following: "value"
Strike: "of the land"

2. Page 4, line 11.
Following: "FOR"
Strike: "TRANSPORTATION"

Insert: "transporting grain, seed, or related agricultural input commodities"

3. Page 4, line 22.
Following: "NONPAYMENT"
Insert: "or other material breach"

4. Page 5, line 3.
Following: "NONPAYMENT"
Insert: "or other material breach"

5. Page 5, line 14.
Following: "VALUE"
Strike: "OF THE LAND"

6. Page 5, line 16.
Following: "VALUE"
Strike: "OF THE LAND"

7. Page 5, lines 24 and 25.
Following: "VALUE"
Strike: "OF THE LAND"

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 20, 1991

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 268, "AN ACT CREATING AN APPELLATE DEFENDER SYSTEM; CREATING AN APPELLATE DEFENDER COMMISSION AND THE OFFICE OF APPELLATE DEFENDER; ESTABLISHING DUTIES OF THE COMMISSION; ESTABLISHING DUTIES OF AND QUALIFICATIONS FOR THE APPELLATE DEFENDER; PROVIDING AN APPROPRIATION TO FUND THE COMMISSION AND THE OFFICE OF APPELLATE DEFENDER FOR THE BIENNIUM; AMENDING SECTION 3-5-901, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

This legislation has created confusion for administrators, public district court funding managers, judicial administrators and county officials. The legislature has appropriated $200,000 for the appellate defender program from revenue set aside to reimburse criminal court costs. Approximately $1.7 million was spent for FY 1990. These monies were paid for witness fees, jury service, transcripts and other associated costs. This Assembly is aware of the demands of adequate district court funding. There has been

no precise statement that directly addresses the two issues: Will this proposal cost more money? Does the project divert already limited funds from the district court?

Because there is debate even among the most knowledgeable technical managers of the program it is wise to limit its effect for two years so that this Assembly will have an opportunity to revisit the project and determine its spending level and effectiveness. Therefore, I have proposed a July 1, 1993 sunset provision.

My second amendment addresses the power of the executive to appoint members to the Appellate Defender Commission created by House Bill 268, and is based on constitutional considerations. Section 1, Article III, Montana Constitution states:

> The power of the government of this state is divided into three distinct branches -- legislative, executive, and judicial. No person or persons charged with the exercise of power properly belonging to one branch shall exercise any power properly belonging to either of the others, except as in this constitution expressly directed or permitted.

Section 1(1), Article VI, Montana Constitution, provides, in turn:

> The executive branch includes a governor, lieutenant governor, secretary of state, attorney general, superintendent of public instruction, and auditor.

Finally, Section 8, Article VI, Montana Constitution states in part:

> The governor shall appoint, subject to confirmation by the senate, all officers provided for in this constitution or by law whose appointment or election is not otherwise provided for.

The appellate defender commission established by House Bill 268 would be attached to the Department of Administration which department is a part of the executive branch of state government. The district courts and the Supreme Court, on the other hand, reside in the judicial branch of government. Having been created by order of the Montana Supreme Court, the unified State Bar of Montana, may be characterized as a quasi-governmental adjunct of the judicial branch.

Historically, and by law, all appointments to boards and commissions within the executive branch have been made by the governor. The legislature has exercised its right to define the qualifications of the membership of the various boards. That is proper. The governor, in turn, has made the appointments. The legitimacy of this pattern is recognized by sections 2-15-201 and 2-15-124, MCA, as well as other statutory provisions and has been followed in the establishment of the approximately 125 legislatively created boards. However, the appointment provisions of

House Bill 268, as adopted, offends the separation of powers doctrine embodied in Section 1, Article III, Montana Constitution.

My amendments would respect the direction of the legislature regarding the composition of the appellate defender commission. They also provide for the constructive input to the selection process of the district court judges and the State Bar. However, the amendments would clarify that the governor makes the appointments as executive under our constitution.

I request that you act favorably upon the amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 268
(REFERENCE COPY, AS AMENDED)
April 20, 1991

1. Title, line 11.
Following: "DATE"
Insert: ", AND A TERMINATION DATE"

2. Page 2, line 3.
Following: "members"
Strike: ","
Insert: "appointed by the governor"

3. Page 2, line 5.
Following: "judge"
Strike: "elected"
Insert: "nominated"

4. Page 2, line 6.
Following: "under"
Strike: "an elective"
Insert: "a nominating"

5. Page 2, lines 8 and 9.
Following: "court."
Strike: "The election is considered an appointment for the purposes of this part."

6. Page 2, line 10.
Following: "attorneys"
Strike: "appointed by the president of the Montana state bar association"
Insert: "."

7. Page 2, line 11.

Insert: "In selecting the attorney appointees, the governor shall consider recommendations submitted by the president of the state bar of Montana"

8. Page 2, lines 19 and 20.
Following: "retired"
Strike: ", appointed by the governor"

9. Page 8, line 13.
Following: line 12
Insert: "NEW SECTION. Section 13. Termination. [This act] terminates July 1, 1993."

The Honorable Hal Harper April 20, 1991
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 580, "AN ACT REQUIRING THE SUPERINTENDENT OF PUBLIC INSTRUCTION TO USE THE PREVIOUS YEAR'S STATE, COUNTY, AND SCHOOL DISTRICT TAXABLE VALUE FOR DETERMINING MILL VALUES PER AVERAGE NUMBER BELONGING FOR THE PURPOSE OF CALCULATING GUARANTEED TAX BASE AID; REQUIRING THE DEPARTMENT OF REVENUE TO REPORT COUNTY AND SCHOOL DISTRICT TAXABLE VALUE BY DECEMBER 1 OF EACH YEAR; PROVIDING FOR A TRANSITION PERIOD TO REQUIRE THE SUPERINTENDENT OF PUBLIC INSTRUCTION TO USE 1990 TAXABLE VALUES FOR GUARANTEED TAX BASE PURPOSES FOR THE SCHOOL YEAR BEGINNING JULY 1, 1991; AMENDING SECTIONS 20-9-366 AND 20-9-369, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE ~~DATES~~ DATE, ~~A RETROACTIVE~~ APPLICABILITY ~~DATE~~ DATES, AND A TERMINATION DATE."

House Bill 580, by using calendar year data to calculate GTB eligibility and payments, uses data for which we have no historical reference since school district budgets and trustees reports are based upon fiscal years. This makes estimating the cost of state GTB subsidies more difficult. It makes the process more subject to manipulation as the GAAP provisions which assure fiscal year revenue is appropriately accounted would not apply to calendar year deposits. It results in the use of fiscal year mill levies on calendar year deposits for the determination of a district's GTB aid. The effect of this latter change is undeterminable.

I believe we would be better served if the taxable value of nonlevy revenue was not used in the determination of GTB aid. (1) It would make the estimation of the cost of state GTB subsidies more reliable. (2) It would make the cost of state GTB subsidies more stable from year to year. (3) It would simplify the process for districts and the office of public instruction. (4) It would provide more equitable treatment of districts and counties with significant nonlevy revenues.

I urge your concurrence with my amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 580
(REFERENCE COPY, AS AMENDED)
April 20, 1991

1. Page 2, line 2.
Following: "county"
Strike: remainder of line 2 through "funds," on line 8

2. Page 2, line 13.
Following: "amounts."
Strike: remainder of line 13 through line 25

3. Page 3, line 3.
Following: "district"
Strike: remainder of line 3 through "funds," on line 9

4. Page 3, line 12.
Following: "amount."
Strike: remainder of line 12 through line 23

5. Page 4, line 6.
Following: "ANB""
Strike: "OR"
Insert: "is $16.60."

6. Page 4, line 7.
Following: "ANB""
Strike: remainder of line 7 through line 6 on page 5

7. Page 5, line 8.
Following: "ANB""
Strike: "or "statewide"
Insert: "is $17.74. "Statewide"

8. Page 5, line 9.
Following: line 8
Strike: line 9 through line 5 on page 6

Insert: "is $43.32."

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 20, 1991

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 846, "AN ACT TO ALLOW PUBLIC INSPECTION OF COMPETITIVE SEALED BIDS AND PROPOSALS FOR THE PRIVATIZATION OF STATE SERVICES ~~AFTER~~ WHEN THE BIDS OR PROPOSALS ARE OPENED; AMENDING SECTIONS 18-4-301, 18-4-303, AND 18-4-304, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

It appears the intent of this legislation is to require notice in a newspaper when the invitations for bid and the requests for proposal are for privatization of state services. However, the amendment actually requires the administration to provide notice in a newspaper for every invitation for bid and request for proposal issued by the state. This requirement is bureaucratic, expensive and will slow the state purchasing process substantially.

The legislation requirement that proposals must be available for public inspection when the proposals are opened, eliminates the administration's ability to negotiate with proposers in the best and final offer process. House Bill 846 also invites collusion among proposers. By disclosing price prior to the best and final process, vendors may be tempted to negotiate among themselves as to who will get the award and at what price.

House Bill 846 would disclose vendor ideas prior to award, allowing other vendors to take advantage of this information and change their proposal based upon what their competition is proposing. Vendors will soon reject this process and refuse to participate.

House Bill 846 prevents the administration from handling requests for proposal on a consistent basis. This invites agencies to circumvent the intent of this bill by designing requests for proposal that will displace only four or less employees in order to maintain the benefit of the best and final process.

For these reasons, I urge the adoption of the attached amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 846
(REFERENCE COPY, AS AMENDED)
April 20, 1991

1. Title, line 7.
Following: "18-4-301"
Strike: ","
Insert: "AND"

2. Title, line 8.
Strike: "AND 18-4-304,"

3. Page 3, line 16.
Following: "Notice"
Strike: "MUST"
Insert: "may"

4. Page 6, line 9 through page 8, line 11.
Strike: section 3 in its entirety
Renumber: subsequent section

MOTIONS

Representative Driscoll moved the House dissolve the conference committee on Senate amendments to HB 973 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on HB 973. Motion carried.

Representative Driscoll moved the House dissolve the conference committee on Senate amendments to HB 20 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on HB 20. Motion carried.

Representative Driscoll moved the rules be suspended to accept SB 473 from the Senate for consideration. Motion carried.

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the free conference committee on HB 973:

Representative Stang, Chairman
Representative L. Nelson
Representative Tunby

Mr. Speaker appointed the following members to the free conference committee on HB 20:

Representative Pavlovich, Chairman

Representative Becker
Representative Hayne

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bill was introduced, read first time, and referred to committee:

SB 473, introduced by Svrcek, Thayer, referred to Committee on Judiciary

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 53 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: D. Brown, Gervais, Kimberley, Southworth, Whalen.
Total 5

Voted Absentee: Harrington, Stang, Steppler, Ayes.

Excused: Elliott, Gould, Toole.
Total 3

Absent or not voting: None.
Total 0

HB 29, Governor's amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J.

Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Cobb, Phillips, J. Rice, Russell.
Total 4

Voted Absentee: Harrington, Stang, Steppler, Ayes.

Excused: Elliott, Gould, Toole.
Total 3

Absent or not voting: Hoffman.
Total 1

HB 360, Governor's amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bergsagel, Russell.
Total 2

Voted Absentee: Harrington, Stang, Steppler, Ayes.

Excused: Elliott, Gould, Toole.
Total 3

Absent or not voting: Boharski.
Total 1

HB 518, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R.

DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Boharski, Harrington, McCaffree, L. Nelson, Schye, Southworth.
Total 6

Voted Absentee: Stang, Steppler, Ayes; Harrington, No.

Excused: Elliott, Gould, Toole.
Total 3

Absent or not voting: None.
Total 0

HB 33, free conference committee report #1, adopted as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 82

Noes: Bachini, Barnett, Bergsagel, Boharski, J. DeBruycker, Feland, Foster, Grinde, Knox, McCaffree, McCulloch, Spring, Swysgood, Thoft, Zook.
Total 15

Voted Absentee: Harrington, Stang, Steppler, Ayes.

Excused: Elliott, Gould, Toole.
Total 3

Absent or not voting: None.
Total 0

HB 451, free conference committee report #1, adopted as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody,

Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Bachini, Bergsagel, Daily, Forrester, M. Hanson, Hayne, Knox, Pavlovich, Peck, Quilici, Spring.
Total 11

Voted Absentee: Harrington, Stang, Steppler, Ayes.

Excused: Elliott, Gould, Toole.
Total 3

Absent or not voting: Ellis.
Total 1

HB 913, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 80

Noes: Barnett, Bergsagel, Boharski, Clark, J. DeBruycker, R. DeBruycker, Ellison, Feland, Gilbert, Grinde, Kasten, Peterson, Simpkins, Spring, Swysgood, Thoft, Zook.
Total 17

Voted Absentee: Harrington, Stang, Steppler, Ayes.

Excused: Elliott, Gould, Toole.
Total 3

Absent or not voting: None.
Total 0

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Cohen in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 752 - Representative Driscoll moved consideration of Senate amendments to HB 752 be placed at the bottom of the second reading board. Motion carried.

SB 229 - Representative Bradley moved consideration of Governor's amendments to SB 229 be placed at the bottom of the second reading board. Motion carried.

SB 256 - Representative R. Johnson moved Governor's amendments to SB 256 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Steppler, Strizich, Thoft, Thomas, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: Becker, D. Brown, S. J. Hansen, Measure, Messmore, Russell, Spring, Squires, Stickney, Swysgood, Whalen.
Total 11

Voted Absentee: Harrington, Steppler, Ayes.

Excused: Elliott, Gould, Stang, Toole.
Total 4

Absent or not voting: Clark, McCulloch.
Total 2

Representative Driscoll moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Cohen moved the adoption of the committee report. Report adopted. (85-8)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/22/91
Delivered to the Governor for his approval at 2:25 p.m., 4/20/91: HB 4, HB 103, HB 125, HB 145, HB 179, HB 234, HB 285, HB 298, HB 321, HB 334, HB 340, HB 354, HB 386, HB 393, HB 448, HB 467, HB 477, HB 489, HB 508, HB 558, HB 569, HB 579, HB 595, HB 696, HB 704, HB 706, HB 723, HB 731, HB 778, HB 793, HB 830, HB 853, HB 876, HB 883, HB 904, HB 923, HB 934, HB 949, HB 977, HB 999, HB 1008.

REPORTS OF SELECT COMMITTEES

Conference Committee
on Senate Bill No. 204
Report No. 1, April 19, 1991

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill No. 204, met and considered the amendments in the House Judiciary Standing Committee Report on Senate Bill No. 204 dated March 11, 1991.

We recommend that Senate Bill No. 204 (reference copy - salmon) be amended as follows:

1. Title, line 8.
Following: "~~CIRCUMSTANCES;~~"
Insert: "PROVIDING GOVERNMENTAL IMMUNITY UNDER CERTAIN CIRCUMSTANCES;"

2. Page 5, line 12.
Following: line 11
Insert: "NEW SECTION. Section 3. Immunity from liability. (1) Except as provided in [subsections (2) and (3)], if a court imposes mandatory service under 45-9-202(2)(c) or community service under 45-9-202(2)(d), a public or private agency supervising the service, treatment, or education program in which the defendant is participating and the officers, agents, and employees of the public or private agency are immune from liability to the defendant for any acts or omissions alleged to have occurred within the course and scope of supervision.

(2) The immunity provided in subsection (1) does not extend to acts or omissions alleged to constitute gross negligence or intentional acts.

(3) The immunity provided in subsection (1) for a public agency does not extend to claims for workers' compensation benefits when the defendant is injured while performing community service."
Renumber: subsequent sections

3. Page 9, lines 1 and 4.
Strike: "AND 3"

Insert: "through 4"

4. Page 9, line 9.
Following: line 8
Insert: "NEW SECTION. Section 7. Two-thirds vote required. Because [section 3] limits governmental liability, Article II, section 18, of the Montana constitution requires a vote of two-thirds of the members of each house for passage.

NEW SECTION. Section 8. Coordination instruction. If Senate Bill No. 473 is not passed and approved, then [section 3 of this act] is amended as follows:

(1) the bracketed language in subsection (1) is amended to read "subsection (2)"; and

(2) subsection (3) is void."

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Halligan, Chair	Strizich, Chair
Doherty	R. Johnson
Gage	

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Mr. Speaker introduced this week's pages:

Matthew Heil, Belgrade
Zak Andersen, Helena
Brad Barth, Glendive
Steve Gallus, Butte
Isaac Hughes, Great Falls
Alisa Keane, Butte
Jeremy Hueth, Glasgow
Sherri Bowers, Seeley Lake
Sara Smith, Lewistown, Page to Minority Office

Representative Driscoll moved the House recess until 3:30 p.m. Motion carried.

House recessed at 9:10 a.m.

House reconvened at 3:35 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/22/91
Correctly enrolled: HB 684, HB 693, HB 699, HB 738, HB 753, HB 790, HB 803, HB 809, HB 868, HB 869, HB 896, HB 903, HB 970, HB 993, HB 994, HB 1012.

Examined by the sponsor and found to be correct:
HB 684 - Driscoll
HB 693 - Thomas
HB 699 - Ellison
HB 753 - Harrington
HB 790 - Messmore
HB 803 - Menahan
HB 809 - Peterson
HB 869 - Simpkins
HB 896 - Peterson
HB 903 - Cobb
HB 970 - Cocchiarella
HB 993 - Zook
HB 994 - Hansen

Delivered to the Governor for his approval at 9:30 a.m., 4/22/91: HB 30, HB 365.

Delivered to the Secretary of State at 9:55 a.m., 4/22/91: HJR 45.

JUDICIARY (Strizich, Chairman): 4/22/91
SB 473, third reading copy, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Conference Committee
on Senate Bill No. 249
Report No. 1, April 20, 1991

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill No. 249, met and considered the amendments of the House Judiciary Standing Committee Report dated March 11, 1991, and recommend that the report be rejected in its entirety and, therefore:

We recommend that Senate Bill No. 249 (reference copy - salmon) be amended as follows:

1. Page 10, lines 3 and 4.
Following: "that" on line 3
Strike: "THE" on line 3 through "EXCEED" on line 4.

2. Page 10, line 5.
Following: "~~disclosure~~" on line 5
Insert: "do not clearly exceed the merits of public disclosure"

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Svrcek, Chair	Strizich, Chair
Halligan	Toole
Crippen	Lee

Conference Committee
on Senate Bill No. 272
Report No. 1, April 20, 1991

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill No. 272, met and considered the amendments in:

1. House Business and Economic Development Standing Committee Report dated March 14, 1991; and

2. Committee of the Whole amendment dated April 1, 1991, by Representative S.J. Hansen.

We recommend that Senate Bill No. 272 (reference copy - salmon) be amended as follows:

1. Page 2, line 25.
Strike: "PUBLIC"

2. Page 3, line 2.
Following: "~~public~~" on line 2
Insert: "publicly owned"

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Halligan, Chair	Cromley, Chair
Doherty	S. Rice
Farrell	Wallin

Free Conference Committee
on House Bill 452
Report No. 1, April 22, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered House Bill 452 and recommend that House Bill 452 (reference copy -- salmon) be amended as follows:

1. Page 5, line 7.
Strike: "January 1, 1992"
Insert: "December 31, 1991"

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
Larson, Chair	Eck, Chair
Kilpatrick	Doherty

Knox Harp

Free Conference Committee
on House Bill 730
Report No. 1, April 22, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee, met and considered House Bill 730 and recommend that House Bill 730 (reference copy -- salmon) be amended as follows:

1. Title, lines 17 through 21.
Following: "~~MORE~~"
Strike: remainder of line 17 through "NECESSITY" on line 21
Insert: "REQUIRING A RAILROAD TO MAINTAIN AND STAFF FACILITIES IN EACH COUNTY AND IN EACH CITY OR TOWN WITH A POPULATION OF 2,000 OR MORE"

2. Title, line 23.
Following: "FACTORS"
Strike: remainder of line 23
Insert: "THAT ARE CONVENIENT"

3. Title, lines 24 and 25.
Following: "TO" on line 24
Strike: "PROVIDE"
Insert: "PROMOTE"
Following: "ADEQUATE,"
Insert: "AND"
Following: "JUST" on line 24
Strike: ","
Following: "SERVICE" on line 25
Insert: "FOR THE RAILROAD'S PATRONS, ITS EMPLOYEES, AND THE PUBLIC"

4. Page 2, line 8.
Strike: "JANUARY 1, 1987"
Insert: "[the effective date of this act]"

5. Page 2, lines 24 and 25.
Strike: lines 24 and 25 in their entirety
Insert: "each city or town with a population of 2,000 or more, as determined by the last completed federal census, and in at least one location, preferably the county seat, in each county through which the line of the railroad passes. This section does not require the maintenance and staffing of facilities in a city or town or county in which the facilities were not maintained and staffed on January 1, 1991. This subsection does not apply to a short-line railroad operating in three counties or less."

6. Page 3, line 1.
Following: "~~if~~"

Strike: "IF"
Insert: "Except as provided in subsection (1), if"

7. Page 3, line 14.
Following: "public"
Strike: "if the application is granted"

8. Page 3, line 15.
Strike: "AND INFORMATION"

9. Page 3, lines 16 and 17.
Following: "THAT" on line 16
Strike: "the commission considers significant"
Insert: "are convenient"
Following: "to" on line 17
Strike: "provide"
Insert: "promote"
Following: "adequate,"
Insert: "and"
Following: "JUST"
Strike: ","

10. Page 3, line 18.
Following: "service"
Insert: "for the railroad's patrons, its employees, and the public"

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
D. Brown, Chair	
Gervais	Lynch
Swysgood	B. Brown

Free Conference Committee
on House Bill 825
Report No. 1, April 22, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee, met and considered House Bill 825 and recommend that House Bill 825 (reference copy -- salmon) be amended as follows:

1. Title, line 9.
Following: "~~AND~~"
Insert: "AND"

2. Title, lines 10 and 11.
Following: "MCA" on line 10
Strike: remainder of line 10 through "PROVISION" on line 11

3. Page 1, line 17.

Strike: "2"
Insert: "4"

4. Page 3, line 17.
Following: "DISABLED"
Strike: "]"

5. Page 3, line 20.
Following: "WEAPON"
Strike: "]"

6. Page 9, line 6.
Strike: "2"
Insert: "4"

7. Page 9, line 11.
Strike: "2-year"
Insert: "4-year"

8. Page 16, lines 1 and 2.
Strike: section 16 in its entirety

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
D. Brown, Chair	Yellowtail, Chair
Strizich	Blaylock
Clark	Rye

MESSAGES FROM THE SENATE

Conference committee report #1 adopted: 4/20/91

HB 306, introduced by Barnett
HB 568, introduced by J. Rice
HB 650, introduced by Squires
HB 672, introduced by Fagg
HB 836, introduced by Driscoll
HJR 32, introduced by Russell
SB 57, introduced by Yellowtail

Free conference committee report #1 adopted: 4/20/91

HB 139, introduced by Raney
HB 500, introduced by Whalen
HB 551, introduced by O'Keefe
HB 719, introduced by D. Brown
HB 747, introduced by Lee
HB 763, introduced by Stang
HB 833, introduced by Lee
HB 987, introduced by Cromley
HB 988, introduced by Cromley

HB 989, introduced by Cromley
SB 37, introduced by Halligan
SB 77, introduced by Koehnke

Governor's amendments concurred in: 4/20/91

HB 758, introduced by Barnhart

The Senate, on 4/20/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 77.

President Mazurek appointed the following members:

Senator Lynch, Chairman
Senator Hockett
Senator Hammond

The Senate, on 4/20/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 93.

President Mazurek appointed the following members:

Senator Vaughn, Chairman
Senator Koehnke
Senator Thayer

The Senate, on 4/20/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 454.

President Mazurek appointed the following members:

Senator Jergeson, Chairman
Senator Fritz
Senator Beck

The Senate, on 4/20/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 795.

President Mazurek appointed the following members:

Senator Doherty, Chairman
Senator Mazurek
Senator Crippen

The Senate, on 4/20/91, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 801.

President Mazurek appointed the following members:

Senator Bianchi, Chairman
Senator Lynch
Senator Beck

The Senate, on 4/20/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 963.

President Mazurek appointed the following members:

Senator Bengtson, Chairman
Senator Rea
Senator Aklestad

The Senate, on 4/20/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 973.

President Mazurek appointed the following members:

Senator Kennedy, Chairman
Senator Bruski
Senator Tveit

The Senate, on 4/20/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 995.

President Mazurek appointed the following members:

Senator Svrcek, Chairman
Senator Mazurek
Senator Harp

The Senate, on 4/20/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HJR 24.

President Mazurek appointed the following members:

Senator Halligan, Chairman
Senator Towe
Senator Brown

The Senate, on 4/20/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 2.

President Mazurek appointed the following members:

Senator Jacobson, Chairman
Senator Van Valkenburg
Senator Nathe

The Senate, on 4/20/91, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 20.

President Mazurek appointed the following members:

Senator Williams, Chairman
Senator Waterman
Senator Keating

The Senate, on 4/20/91, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 452.

President Mazurek appointed the following members:

Senator Eck, Chairman
Senator Doherty
Senator Harp

The Senate, on 4/20/91, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 990.

President Mazurek appointed the following members:

Senator Franklin, Chairman
Senator Fritz
Senator Aklestad

The Senate, on 4/20/91, dissolved the free conference committee on HB 730 and appointed a new free conference committee to meet with a like committee from the House to confer on HB 730.

President Mazurek appointed the following members:

Senator Blaylock, Chairman
Senator Lynch
Senator Brown

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper 4/22/91
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Harper:

Please be informed that I have signed House Bill 239 on 4/16/91, and I have signed House Bills 417, 470, 538 and 924 on 4/19/91.

Sincerely,

STAN STEPHENS
Governor

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 54 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Grady, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stickney, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 75

Noes: Barnett, Bergsagel, Daily, R. DeBruycker, Ellis, Feland, Gilbert, Grinde, H. S. Hanson, Hayne, Kasten, Keller, Pavlovich, Peterson, Simpkins, Swysgood, Thoft, Wallin, Zook.
Total 19

Excused: Elliott, Gould, Stang, Steppler.
Total 4

Absent or not voting: S. Rice, Strizich.
Total 2

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Cohen in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 37 - Representative D. Brown moved the free conference committee report #1 to SB 37 be not adopted.

Representative Strizich made a substitute motion that the free conference committee report #1 to SB 37 be adopted. Motion carried as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, S. J. Hansen, M. Hanson,

Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kimberley, Knox, Larson, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 77

Noes: Bachini, Bardanouve, Bergsagel, Cohen, Cromley, Davis, J. DeBruycker, Driscoll, Grinde, H. S. Hanson, Kadas, Kilpatrick, Lee, Madison, Measure, L. Nelson, O'Keefe, Peck, Raney, Wanzenried.
Total 20

Voted Absentee: Elliott, Stang, Steppler, Ayes.

Excused: Gilbert, Gould, Grady.
Total 3

Absent or not voting: None.
Total 0

HB 752 - Representative Toole moved Senate amendments to HB 752 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Kadas.
Total 1

Excused: Elliott, Gilbert, Gould, Grady, Stang, Steppler.
Total 6

Absent or not voting: None.
Total 0

SB 229 - Representative Bradley moved Governor's amendments to SB 229 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R.

DeBruycker, Dolezal, Dowell, Driscoll, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Boharski.
Total 1

Voted Absentee: Steppler, Aye.

Excused: Elliott, Gilbert, Gould, Grady, Stang.
Total 5

Absent or not voting: Ellis, S. Rice.
Total 2

HB 152 - Representative Harrington moved Governor's amendments to HB 152 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 57

Noes: Barnett, Benedict, Bergsagel, Boharski, J. Brown, Clark, R. DeBruycker, Ellison, Fagg, Feland, Foster, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Knox, Lee, Measure, Mercer, L. Nelson, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 35

Excused: Cobb, Elliott, Gilbert, Gould, Grady, Peck, Stang, Steppler.
Total 8

Absent or not voting: None.
Total 0

HB 233 - Representative Bardanouve moved Governor's amendments to HB 233 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark,

Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Cobb, Elliott, Gilbert, Gould, Grady, Kadas, Peck, Stang, Steppler.
Total 9

Absent or not voting: Harrington.
Total 1

HB 268 - Representative Measure moved Governor's amendments to HB 268 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Bachini, McCaffree, Simpkins.
Total 3

Excused: Cobb, Elliott, Gilbert, Gould, Grady, Kadas, Peck, Stang, Steppler.
Total 9

Absent or not voting: Ellis.
Total 1

HB 580 - Representative Schye moved Governor's amendments to HB 580 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell,

Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, Grinde, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 77

Noes: Barnett, Bergsagel, Clark, Foster, H. S. Hanson, Hayne, Lee, Messmore, Phillips, Simpkins, Swysgood, Thoft, Thomas, Wallin.
Total 14

Voted Absentee: Kadas, Aye.

Excused: Cobb, Elliott, Gilbert, Gould, Grady, Peck, Stang, Steppler.
Total 8

Absent or not voting: Boharski.
Total 1

HB 846 - Representative Menahan moved Governor's amendments to HB 846 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 61

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Grinde, H. S. Hanson, Hayne, R. Johnson, Kasten, Keller, Lee, Mercer, Messmore, T. Nelson, Peterson, Phillips, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 30

Excused: Cobb, Elliott, Gilbert, Gould, Grady, Kadas, Peck, Stang, Steppler.
Total 9

Absent or not voting: None.
Total 0

SB 204 - Representative Strizich moved the conference committee report #1 to SB 204 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal,

Dowell, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 83

Noes: Becker, Driscoll, McCaffree, Measure, Simpkins, Zook.
Total 6

Excused: Cobb, Elliott, Gilbert, Gould, Grady, Kadas, Peck, Stang, Steppler.
Total 9

Absent or not voting: J. DeBruycker, Harrington.
Total 2

HJR 55 - Representative Dolezal moved HJR 55 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: R. DeBruycker, Ellis, Hayne, Simpkins, Swysgood, Thoft.
Total 6

Excused: Cobb, Elliott, Gould, Kadas, Peck, Stang, Steppler.
Total 7

Absent or not voting: None.
Total 0

SB 249 - Representative Strizich moved the conference committee report #1 to SB 249 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M.

Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Boharski.
Total 1

Excused: Cobb, Elliott, Gould, Kadas, Peck, Stang, Steppler.
Total 7

Absent or not voting: Connelly, McCulloch.
Total 2

SB 272 - Representative Cromley moved the conference committee report #1 to SB 272 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Boharski, Clark, R. DeBruycker.
Total 3

Excused: Cobb, Elliott, Gould, Kadas, Peck, Stang, Steppler.
Total 7

Absent or not voting: None.
Total 0

HB 452 - Representative Larson moved the free conference committee report #1 to HB 452 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J.

Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 92

Noes: Wyatt.
Total 1

Excused: Cobb, Elliott, Gould, Kadas, Peck, Stang, Steppler.
Total 7

Absent or not voting: None.
Total 0

HB 730 - Representative D. Brown moved the free conference committee report #1 to HB 730 be adopted.

Representative Bradley made a substitute motion that the free conference report #1 to HB 730 be not adopted. Motion failed as follows:

Ayes: Barnett, Barnhart, Benedict, Bradley, Brooke, J. Brown, Clark, Cobb, Cromley, Ellis, Ellison, Fagg, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Phillips, J. Rice, S. Rice, Simpkins, Spring, Thomas, Toole, Tunby, Wallin, Wanzenried.
Total 39

Noes: Bachini, Bardanouve, Beck, Becker, Bergsagel, Boharski, D. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Feland, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Whalen, Wyatt, Zook, Mr. Speaker.
Total 60

Voted Absentee: Cobb, Gould, Ayes; Elliott, Stang, Steppler, Noes.

Excused: None.
Total 0

Absent or not voting: Peterson.
Total 1

Report adopted.

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair.

Chairman Cohen moved the adoption of the committee report. Report adopted. (78-16)

REPORTS OF SELECT COMMITTEES

Conference Committee
on Senate Bill No. 18
Report No. 1, April 22, 1991

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill No. 18, met and considered the amendments in the House Natural Resources Standing Committee Report dated March 13, 1991, and recommend that these amendments be rejected in their entirety.

Therefore, we recommend that Senate Bill No. 18 (reference copy - salmon) be amended as follows:

1. Page 5, line 18.
Strike: "ARE" on line 18.
Insert: "were"

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Weeding, Chair	Raney, Chair
Gage	O'Keefe
Bengtson	R. DeBruycker

Conference Committee
on Senate Bill No. 154
Report No. 1, April 22, 1991

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill No. 154, met, considered, and acceded to the House Judiciary Standing Committee Report amendments dated March 21, 1991, in their entirety.

And recommend that this Conference Committee report be adopted.

For the Senate:	For the House:
Svrcek, Chair	L. Nelson, Chair
Towe	Hoffman
Nathe	Toole

Conference Committee
on Senate Bill No. 192
Report No. 1, April 22, 1991

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill No. 192, met and considered the amendments in the House State Administration Standing Committee Report dated March 19, 1991, and recommend that they be acceded to in their entirety.

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Blaylock, Chair	Connelly, Chair
Hockett	Davis
	Clark

Conference Committee
on Senate Bill No. 301
Report No. 1, April 22, 1991

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill No. 301, met and considered the amendments in the House State Administration Standing Committee Report dated March 19, 1991, and we recommend that these amendments be rejected in their entirety.

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Blaylock, Chair	J. Brown, Chair
Vaughn	Southworth
Farrell	Gould

Conference Committee
on Senate Bill No. 326
Report No. 1, April 20, 1991

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill No. 326, met and considered the amendments in the House Human Services and Aging Standing Committee Report dated March 23, 1991, and recommend that the amendments in the March 23 report be stricken in their entirety.

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Eck, Chair	Stickney, Chair
Waterman	Barnhart
Aklestad	

Conference Committee
on Senate Bill No. 327
Report No. 1, April 22, 1991

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill No. 327, met and considered the House Judiciary Standing Committee Report dated March 14, 1991.

We recommend that Senate Bill No. 327 (reference copy - salmon) be amended as follows:

1. Title, line 9.
Following: "CONVICTIONS;"
Insert: "ALLOWING PHOTOGRAPHS OF STOLEN MERCHANDISE TO BE SUBMITTED INTO EVIDENCE;"

2. Page 5, line 16.
Following: line 15
Insert: "NEW SECTION. Section 3. Photographs of items allegedly taken or converted -- admissibility procedure. (1) In a prosecution for a violation of 45-6-301, photographs of the items alleged to have been taken or converted are competent evidence of the items and are admissible in a proceeding, hearing, or trial as if the items themselves were introduced as evidence so long as responding law enforcement personnel have designated a person to be responsible for properly photographing the items and preserving the photographic evidence.

(2) The photographs must bear a written description of the items alleged to have been taken or converted, the name of the owner from whom the items were allegedly taken, or the store or establishment, as appropriate, where the alleged offense occurred, the name of the accused, the name of the arresting officer, the date the photographs were taken, and a statement by the photographer that the photographs accurately represent the items in question.

(3) The writing required under subsection (2) must be made under oath by the arresting officer, and the photographs must be identified by the signature of the photographer. Upon the filing of the photograph and the writing with the law enforcement agency or court holding the items as evidence, the items must be returned to their owner or the proprietor or manager of the store or establishment.

NEW SECTION. Section 4. Codification instruction. [Section 3] is intended to be codified as an integral part of Title 26, chapter 1, part 6, and the provisions of Title 26, chapter 1, part 6, apply to [section 3]."
Renumber: subsequent section

And that this Conference Committee report be adopted.

For the Senate: For the House:

Yellowtail, Chair
Noble
Halligan

Wyatt, Chair
Keller
Schye

Conference Committee
on Senate Bill No. 379
Report No. 1, April 22, 1991

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill No. 379, met and considered the House Judiciary Standing Committee Report amendments dated April 8, 1991.

We recommend that Senate Bill No. 379 (reference copy - salmon) be amended as follows:

1. Title, lines 9 through 11.
Strike: "RELATING" on line 9 through "FIREARMS;" on line 11.

2. Title, lines 14 through 16.
Strike: "PROVIDING" on line 14 through "WORK;" on line 16

3. Title, line 16.
Following: "44-4-301"
Strike: ","

4. Title, line 17.
Strike: "46-23-1002,"

5. Page 4, line 24 through page 5, line 13.
Strike: section 1 in its entirety
Renumber: subsequent sections

6. Page 7, lines 11 through 25.
Strike: section 4 in its entirety

7. Page 8, lines 1 through 4.
Strike: section 5 in its entirety

And that this Conference Committee report be adopted.

For the Senate:

Van Valkenburg, Chair
Fritz
Beck

For the House:

Menahan, Chair
Wyatt
Gould

Conference Committee
on Senate Bill No. 425
Report No. 1, April 20, 1991

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill No. 425, met and considered the amendments in:

1. The House Natural Resources Standing Committee Report dated March 23, 1991; and

2. Representative Ream's House Committee of the Whole Amendment dated April 5, 1991.

We recommend that the House Committee of the Whole Amendment dated April 5, 1991, be rejected in its entirety, thereby amending Senate Bill No. 425 (reference copy - salmon) as follows:

1. Page 7, line 9.
Following: "~~10~~"
Insert: "no more than 10"

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Yellowtail, Chair	Brooke, Chair
Weeding	Swysgood
Grosfield	Toole

Conference Committee
on Senate Bill No. 434
Report No. 1, April 22, 1991

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill No. 434, met and considered the amendments of the House Natural Resources Standing Committee Report dated April 2, 1991.

We recommend that Senate Bill No. 434 (reference copy - salmon) be amended as follows:

1. Page 3, line 6.
Following: "PART 7." on line 6
Insert: "A permit issued to conduct response actions or remedial actions must be limited to a term not to exceed the necessary time to complete the response or remedial action, and the permit may not be transferred to any person for any purpose other than the designated response or remedial action."

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Stimatz, Chair	Brooke, Chair
Halligan	G. Beck
T. Beck	Swysgood

Conference Committee
on Senate Bill No. 462
Report No. 1, April 20, 1991

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill No. 462, met and considered the House Committee of the Whole amendments of Rep. O'Keefe and we recommend that Senate Bill No. 462 (reference copy - salmon) be amended as follows:

1. Page 3, line 2.
Following: line 1
Insert: "(3) A bill or statement may itemize the tax imposed by subsection (2)."
Renumber: subsequent subsection

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Mazurek, Chair	Harrington, Chair
Williams	Madison
Hager	Foster

Free Conference Committee
on House Bill 20
Report No. 1, April 22, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee, met and considered House Bill 20 and recommend that House Bill 20 (reference copy -- salmon) be amended as follows:

1. Title, line 7.
Strike: "GENERAL"
Insert: "LONG-RANGE BUILDING PROGRAM"

2. Title, lines 10 and 11.
Following: "CEMETERY" on line 10
Strike: remainder of line 10 through "INSTRUCTIONS" on line 11

3. Page 2, line 16.
Strike: "general"
Insert: "long-range building program"

4. Page 2, lines 21 through 23.
Strike: section 2 in its entirety

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:

Pavlovich, Chair	Williams, Chair
Becker	Waterman
Hayne	Keating

MESSAGES FROM THE SENATE

House joint resolution concurred in and returned to the House: 4/22/91

HJR 48, introduced by Quilici

Senate joint resolution passed and transmitted to the House for concurrence: 4/22/91

SJR 31, introduced by Gage

Governor's amendments concurred in and returned to the House: 4/22/91

HB 539, introduced by Daily

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper 4/22/91
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Harper:

Please be informed that I have signed House Bills 59, 142, 497, 534, 544, 549, 556, 620, 629, 665, 678, 705, 773, 856, 860, 870, 891, 894, 908, 917, 943 and 966 on 4/22/91.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper April 22, 1991
Speaker
House of Representatives
State Capitol
Helena, Montana 59620

The Honorable Joseph P. Mazurek
President
Montana State Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 74, "AN ACT TO AUTHORIZE PERMISSIVE LEVIES FOR REGIONAL JAILS AND JUVENILE DETENTION PROGRAMS; TO EXCLUDE THESE LEVIES FROM THE PROPERTY TAX LIMITATIONS OF INITIATIVE MEASURE NO. 105; TO ALLOW IMPOSITION OF PERMISSIVE LEVIES WITHOUT A VOTE; AMENDING SECTIONS 15-10-402 AND 15-10-412, MCA; AN PROVIDING AN EFFECTIVE DATE."

Another series of bills - including HB 70, HB 319 and HB 320 - provide for establishment and funding of regional adult jails. Because that legislation has failed, I have deleted the portion of this bill dealing with adult jails in order to maintain the necessary attention on juvenile detention issues. The main thrust of these bills has been to ensure that children are not detained in jails; my amendment will refocus House Bill 74 on this important issue. I support the purpose behind House Bill 74 and the other legislation which I have already approved with amendments during this session to provide for a comprehensive youth detention policy for Montana.

My amendatory veto also changes the use of a permissive levy to that of a voted levy. I have indicated that I will not approve a general tax increase, and a permissive levy is just that: permission for counties to levy taxes without approval of their voters. I am hopeful that counties will plan creatively and will hold their requests for increased taxes to a minimum. My amendments will preserve the essence of this legislation but will make any county tax increases subject to a vote of the county taxpayers.

I urge your concurrence with my amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 74
(REFERENCE COPY, AS AMENDED)
April 22, 1991

1. Title, line 6.
Following: "AUTHORIZE"
Strike: "PERMISSIVE"
Insert: "A"

2. Title, line 7.
Strike: "LEVIES FOR REGIONAL JAILS AND"
Insert: "LEVY FOR"

3. Title, line 8.
Following: "EXCLUDE"
Strike: "THESE LEVIES"
Insert: "THE LEVY"

4. Title, lines 9 and 10.
Following: "105;" on line 9
Strike: remainder of line 9 through "VOTE;" on line 10

5. Page 1, line 16.
Strike: "through 3"
Insert: "and 2"

6. Page 1, lines 23 and 24.
Strike: subsection (2) in its entirety
Renumber: subsequent subsections

7. Page 2, lines 9 through 11.
Strike: subsection (5) in its entirety
Renumber: subsequent subsections

8. Page 2, lines 18 and 19.
Following: "Section 2."
Strike: "Permissive levies for regional jails and"
Insert: "Levy for"
Following: "(1)" on line 19
Strike: "A"
Insert: "If approved by a majority of the qualified electors voting on the question, a"

9. Page 2, line 20.
Following: "impose"
Strike: "the following levies"
Insert: "a levy"

10. Page 2, line 22.
Following: "body"
Strike: ":"

11. Page 2, lines 23 and 24.
Strike: subsection (a) in its entirety

12. Page 2, line 25.
Strike: "(b) a levy"
Following: "for the"
Insert: "purpose of financing the"

13. Page 3, lines 4 and 5.
Following: "from" on line 4
Strike: "regional jails and"
Insert: "available"

14. Page 3, lines 7 through 11.
Strike: section 3 in its entirety
Renumber: subsequent sections

15. Page 3, line 23.
Following: "20;"

Strike: "regional jails and"

16. Page 9, lines 15 and 16.
Following: "for" on line 15
Strike: "regional jails and"

17. Page 11, lines 8 and 10.
Strike: "through 3"
Insert: "and 2"

18. Page 11, lines 11 through 22.
Strike: section 7 in its entirety
Renumber: subsequent section

The Honorable Hal Harper April 22, 1991
Speaker
House of Representatives
State Capitol
Helena, Montana 59620

The Honorable Joseph P. Mazurek
President
Montana State Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 677, "AN ACT AUTHORIZING A COUNTY TO LEVY UP TO 1 MILL FOR THE SUPPORT OF COUNTY LITERACY PROGRAMS; ~~PROVIDING THAT THE LEVY IN SUPPORT OF COUNTY LITERACY PROGRAMS IS NOT~~ THAT GIVE FIRST PRIORITY TO PROVIDING DIRECT INSTRUCTION TO ADULTS, WHICH LEVY IS SUBJECT TO LIMITATIONS ON PROPERTY TAXES SET FORTH IN TITLE 15, CHAPTER 10, PART 4, MCA; ~~AND AMENDING SECTION 25-10-412, MCA~~ PROVIDING FOR THE ADMINISTRATION OF A COUNTY ADULT LITERACY FUND BY A COUNTY ADULT LITERACY BOARD; AND ESTABLISHING CONDITIONS FOR THE USE OF COUNTY LITERACY FUNDS."

Adult literacy is an important issue and one that I support. The title makes clear reference that any additional mill levy is subject to the limitations of Title 15, Chapter 10, Part 4, MCA. However, it is not clear in the text of the legislation for this to be true.

My amendment will clearly indicate the levy is subject to the I-105 limitation. The amendment is placed within the text of the legislation itself.

The sponsor, Representative Benedict, concurs with this amendment. I urge your concurrence as well.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 677
(REFERENCE COPY, AS AMENDED)
April 22, 1991

1. Page 1, line 24.
Following: "levies"
Insert: "and is subject to limitations on property taxes set forth in 15-10-402"

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 22, 1991

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 832, "AN ACT ALLOCATING 20 PERCENT OF AN INCREASE IN GROSS PROCEEDS TAX TO THE LOCAL GOVERNMENT UNIT IN WHICH THE ORE WAS LOCATED; ALLOCATING THE APPLICABLE METAL MINES LICENSE TAX TO THOSE COUNTIES IDENTIFIED AS EXPERIENCING IMPACTS IF AN IMPACT PLAN HAS BEEN PREPARED; AMENDING SECTIONS 15-37-117 AND 90-6-404 MCA; AND PROVIDING A RETROACTIVE APPLICABILITY DATE."

This legislation addresses a unique situation between Sanders and Lincoln Counties over the Montanore project, which is in large part a result of the fact that the ore reserve is now covered by the cabinet Wilderness Area created by Congress. The creation of the wilderness has made it difficult to plan the mining project in Sanders County. The mine adit, the process machinery, and the tailings ponds will all be located in Lincoln County, and there will be no "impacts" in Sanders County.

After the bill was introduced, the Sanders County Commissioners filed a protest with the Hard Rock Impact Act Board on the Montanore mine permit application. The filing of this objection has raised an ambiguity which exists in Section 1(1) on page 1 of House Bill 832. The present language of the bill raises the possibility that Sanders County could get more than the 20 percent allocated to it in the bill if it is successful in proving that an impact exists in Sanders County, without proof of an actual impact in excess of that amount. All parties seem to agree that was not the intent of the bill.

I believe that this was not the intent of the sponsors. Accordingly, I have drafted amendments which I believe should be placed in Section 1(1) to clarify this ambiguity.

The sponsors of the legislation, Representatives Orval Ellison and Jim Elliott, concur with these amendments.

I urge your concurrence as well.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 832
(REFERENCE COPY, AS AMENDED)
APRIL 22, 1991

Title, line 6.
Following: "LOCATED"
Insert: "IF CERTAIN CRITERIA ARE MET"

1. Page 1, line 19.
Following: "(1)"
Strike: "Twenty percent"
Insert: "If the board determines that the local government unit in which the ore body or the mineral deposit being mined is located is not affected by the development and if this determination is shown on the impact plan, 20%"

2. Page 1, line 20.
Following: "to"
Strike: "the"
Insert: "that"

3. Page 1, line 21.
Following: "unit"
Strike: "in which the ore was located"
Following: "."
Insert: "This provision is intended to establish a minimum allocation for the units and does not prohibit proof by a unit that actual direct impacts would exceed 20% of the total impacts of the development."

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 56, introduced by Russell, Gervais, D. Brown, J. Rice, Stickney, Strizich, Cody, Darko, Messmore, Becker, L. Nelson, referred to Committee on Judiciary

The following Senate joint resolution was introduced, read first time, and referred to committee:

SJR 31, introduced by Gage, referred to Committee on Appropriations

MOTIONS

Representative Driscoll moved the House dissolve the conference committees on Senate amendments to HB 963, HB 973 and HJR 24 and the Speaker be authorized to appoint free conference committees to meet with like committees from the Senate to confer on HB 963, HB 973 and HJR 24. Motion carried.

Representative Driscoll moved the House dissolve the conference committees on House amendments to SB 94, SB 333, SB 359, SB 370 and SB 461 and the Speaker be authorized to appoint free conference committees to meet with like committees from the Senate to confer on SB 94, SB 333, SB 359, SB 370 and SB 461. Motion carried.

Representative Driscoll moved the Speaker be authorized to appoint conference committees to meet with like committees from the Senate to confer on Senate amendments to HB 5 and HB 7. Motion carried.

Representative Driscoll moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 428. Motion carried.

Representative Driscoll moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on SB 16. Motion carried.

Representative Driscoll moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on HB 752. Motion carried.

Representative Driscoll moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Governor's amendments to HB 758. Motion carried.

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the conference committee on Senate amendments to HB 5:

Representative Bardanouve, Chairman
Representative Connelly
Representative Grady

Mr. Speaker appointed the following members to the conference committee on Senate amendments to HB 7:

Representative Connelly, Chairman
Representative Bardanouve
Representative Thoft

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 428:

Representative Cody, Chairman
Representative Schye
Representative Gilbert

Mr. Speaker appointed the following members to the free conference committee on HB 963:

Representative Bardanouve, Chairman
Representative Madison
Representative Peterson

Mr. Speaker appointed the following members to the free conference committee on HB 973:

Representative Stang, Chairman
Representative L. Nelson
Representative Tunby

Mr. Speaker appointed the following members to the free conference committee on HJR 24:

Representative Ream, Chairman
Representative Schye
Representative Thomas

Mr. Speaker appointed the following members to the free conference committee on SB 16:

Representative McCulloch, Chairman
Representative Pavlovich
Representative T. Nelson

Mr. Speaker appointed the following members to the free conference committee on SB 94:

Representative Raney, Chairman
Representative Connelly
Representative Gilbert

Mr. Speaker appointed the following members to the free conference committee on SB 333:

Representative Harrington, Chairman
Representative Elliott
Representative Foster

Mr. Speaker appointed the following members to the free conference committee on SB 359:

Representative Stang, Chairman
Representative J. DeBruycker
Representative Foster

Mr. Speaker appointed the following members to the free conference committee on SB 370:

Representative Ream, Chairman
Representative McCaffree
Representative Hoffman

Mr. Speaker appointed the following members to the free conference committee on SB 461:

Representative Ream, Chairman
Representative Wanzenried
Representative T. Nelson

SPECIAL ORDERS OF THE DAY

Executive Director, Robert B. Person 4/22/91
Legislative Council
Room 138 State Capitol
Helena, MT 59620

Dear Bob:

Pursuant to Title 5, Chapter 11, Montana Code Annotated, I am pleased to appoint Representative Mary Lou Peterson and Representative Jim Rice to the Legislative Council.

I reappoint the following LC members to another term:

Representative Jan Brown
Representative William (Red) Menahan

Sincerely,

Hal Harper
Speaker

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 8:30 a.m., Tuesday, April 23, 1991. Motion carried.

House adjourned at 5:40 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

EIGHTY-SEVENTH LEGISLATIVE DAY

Helena, Montana — House Chambers
April 23, 1991 — State Capitol

House convened at 8:35 a.m. Mr. Speaker in the Chair. Invocation by Representative Wallin. Pledge of Allegiance to the Flag.

Roll call. All members present except Elliott, Gould, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the eighty-third legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/23/91
Signed by the Speaker at 7:30 a.m., 4/23/91: HB 693.
Signed by the Speaker at 8:30 a.m., 4/23/91: HB 684, HB 699, HB 753, HB 790, HB 803, HB 809, HB 868, HB 869, HB 896, HB 903, HB 970, HB 993, HB 994.
Delivered to the Governor for his approval at 8:05 a.m., 4/23/91: HB 693.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 452, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Elliott, Gould, McCarthy, McCulloch, Menahan, Whalen.
Total 6

Absent or not voting: Simpkins.
Total 1

HB 730, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Beck, Becker, Bergsagel, Boharski, D. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Feland, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, Measure, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wyatt.
Total 57

Noes: Barnett, Barnhart, Benedict, Bradley, Brooke, J. Brown, Clark, Cromley, Ellis, Ellison, Fagg, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Phillips, J. Rice, S. Rice, Simpkins, Spring, Thomas, Wallin, Wanzenried, Zook.
Total 35

Excused: Elliott, Gould, McCarthy, McCulloch, Menahan, Whalen, Mr. Speaker.
Total 7

Absent or not voting: Peterson.
Total 1

SB 37, free conference committee report #1, adopted as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, R. DeBruycker, Dolezal, Dowell, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Bardanouve, Bergsagel, Cromley, Davis, J. DeBruycker, Driscoll, Gilbert, Kadas, Lee, L. Nelson, Peck.
Total 11

Excused: Elliott, Gould, McCarthy, Menahan, Whalen.
Total 5

Absent or not voting: None.
Total 0

SB 204, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCulloch, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Becker, Bergsagel, Clark, Ellis, Gilbert, McCaffree, Measure, Peck, Simpkins.
Total 9

Excused: Elliott, Gould, McCarthy, Menahan, Whalen.
Total 5

Absent or not voting: None.
Total 0

SB 249, conference committee report #1, adopted as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Bachini, Bergsagel, Boharski, Driscoll, Gilbert, Measure, Peck, Peterson, Russell, Toole.
Total 10

Excused: Elliott, Gould, McCarthy, Menahan, Whalen.
Total 5

Absent or not voting: None.
Total 0

SB 272, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Mr. Speaker.
Total 89

Noes: Benedict, Boharski, Clark, R. DeBruycker, Kasten, Zook.
Total 6

Excused: Elliott, Gould, McCarthy, Menahan, Whalen.
Total 5

Absent or not voting: None.
Total 0

MOTIONS

Representative Driscoll moved the House dissolve the conference committees on Senate amendments to HB 2 and HB 795 and the Speaker be authorized to appoint free conference committees to meet with like committees from the Senate to confer on HB 2 and HB 795. Motion carried.

Representative Driscoll moved the rules be suspended to accept SJR 30 from the Senate for consideration. Motion carried.

Representative Wallin moved he be allowed to change his vote on the conference committee report #1 to HB 730, third reading, from yes to no. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bill was introduced, read first time, and referred to committee:

SJR 30, introduced by Harding, Farrell, Svrcek, Jergeson, Hockett, Burnett, Jacobson, Swift, Aklestad, Koehnke, Lynch, Gage, Anderson, Keating, Pinsoneault, Tveit, Towe, referred to Committee on State Administration

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Swysgood in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 473 - Representative Driscoll moved SB 473 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellison, Fagg, Forrester, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, Harrington, Hoffman, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 77

Noes: Bergsagel, Cohen, J. DeBruycker, Ellis, Feland, Foster, Grinde, H. S. Hanson, M. Hanson, Hayne, Kasten, L. Nelson, Peck, Steppler, Swysgood, Thoft, Wyatt.
Total 17

Excused: Elliott, Gould, McCarthy, Menahan.
Total 4

Absent or not voting: J. Johnson, J. Rice.
Total 2

HB 20 - Representative Pavlovich moved the free conference committee report #1 to HB 20 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Bergsagel, Gilbert.
Total 2

Excused: Cobb, Elliott, Gould, McCarthy, Menahan.
Total 5

Absent or not voting: Thomas.
Total 1

HB 825 - Representative D. Brown moved the free conference committee report #1 to HB 825 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Boharski, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Schye, Scott, Simpkins, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Barnhart, Bergsagel, Brooke, Feland, Russell, Southworth, Swysgood.
Total 7

Excused: Cobb, Elliott, Gould, McCarthy, Menahan.
Total 5

Absent or not voting: Cohen, J. Rice, Spring.
Total 3

SB 18 - Representative O'Keefe moved the conference committee report #1 to SB 18 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Bergsagel.
Total 1

Excused: Cobb, Elliott, Gould, McCarthy, Menahan.
Total 5

Absent or not voting: Cohen, Spring, Stang.
Total 3

SB 154 - Representative L. Nelson moved the conference committee report #1 to SB 154 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: R. DeBruycker, McCaffree.
Total 2

Excused: Cobb, Elliott, Gould, McCarthy, Menahan, Peck.
Total 6

Absent or not voting: Ellis.
Total 1

SB 192 - Representative Connelly moved the conference committee report #1 to SB 192 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 88

Noes: R. DeBruycker, R. Johnson, Kasten.
Total 3

Excused: Cobb, Elliott, Gould, McCarthy, Menahan, Peck, Mr. Speaker.
Total 7

Absent or not voting: Phillips, Thomas.
Total 2

SB 301 - Representative J. Brown moved the conference committee report #1 to SB 301 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellison, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Messmore, L. Nelson, Nisbet, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 74

Noes: Becker, Bergsagel, Clark, Cromley, Davis, Ellis, Fagg, Feland, H. S. Hanson, Kasten, Mercer, T. Nelson, O'Keefe, Peterson, Simpkins, Spring, Steppler, Thomas, Wallin, Zook.
Total 20

Excused: Cobb, Elliott, Gould, McCarthy, Menahan, Peck.
Total 6

Absent or not voting: None.
Total 0

SB 326 - Representative Stickney moved the conference committee report #1 to SB 326 be adopted. Motion failed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Galvin, Grady, S. J. Hansen, Harrington, Kadas, Larson, Madison, Measure, Messmore, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Scott, Southworth, Squires, Stang, Stickney, Toole, Wyatt, Mr. Speaker.
Total 41

Noes: Barnett, Becker, Benedict, Bergsagel, Boharski, Clark, Cromley, R. DeBruycker, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, McCaffree, McCulloch, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, Peterson, Phillips, J. Rice, Russell, Schye, Simpkins, Spring, Steppler, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Zook.
Total 54

Excused: Cobb, Elliott, Gould, McCarthy, Peck.
Total 5

Absent or not voting: None.
Total 0

SB 327 - Representative Wyatt moved the conference committee report #1 to SB 327 be adopted. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Brooke, Davis, Measure, Southworth, Toole.
Total 5

Excused: Cobb, Elliott, Gould, McCarthy, Peck.
Total 5

Absent or not voting: Bachini, D. Brown, Driscoll, Ellison, Quilici, Wanzenried.
Total 6

SB 379 - Representative Menahan moved consideration of the conference committee report #1 to SB 379 be placed at the bottom of the second reading board. Motion carried.

SB 425 - Representative Brooke moved the conference committee report #1 to SB 425 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: R. DeBruycker, Driscoll, McCaffree, Measure, O'Keefe, Ream.
Total 6

Excused: Elliott, Gould, Peck.
Total 3

Absent or not voting: None.
Total 0

SB 434 - Representative Brooke moved the conference committee report #1 to SB 434 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Cobb, Elliott, Gould, Peck.
Total 4

Absent or not voting: Menahan, Peterson.
Total 2

SB 462 - Representative Harrington moved the conference committee report #1 to SB 462 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Cody, R. DeBruycker.
Total 2

Excused: Cobb, Elliott, Gould, Peck.
Total 4

Absent or not voting: Cromley, Menahan.
Total 2

HB 74 - Representative Strizich moved Governor's amendments to HB 74 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Cocchiarella, Kadas, McCaffree, Measure, O'Keefe, Southworth.
Total 6

Excused: Cobb, Elliott, Gould, Peck.
Total 4

Absent or not voting: Menahan.
Total 1

HB 677 - Representative Benedict moved Governor's amendments to HB 677 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: J. DeBruycker, R. DeBruycker, Kasten, Measure, Messmore, Peterson.
Total 6

Excused: Cobb, Elliott, Gould, Peck.
Total 4

Absent or not voting: Menahan.
Total 1

HB 832 - Representative Ellison moved Governor's amendments to HB 832 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Cobb, Elliott, Gould, Peck.
Total 4

Absent or not voting: Menahan.
Total 1

SB 379 - Representative Menahan moved the conference committee report #1 to SB 379 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 90

Noes: Barnhart, Becker, Cody, Measure, Nisbet, Wyatt.
Total 6

Excused: Cobb, Elliott, Gould, Peck.
Total 4

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Swysgood moved the adoption of the committee report. Report adopted. (90-4)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/23/91
Correctly engrossed: HJR 55.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 240
Report No. 1, April 22, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee, met and considered House Bill 240 and recommend that House Bill 240 (reference copy -- salmon) be amended as follows:

1. Title, line 12.
Following: "~~MONTANA~~"
Insert: "RENEWABLE RESOURCE DEVELOPMENT GRANT"

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
Raney, Chair	Weeding, Chair
O'Keefe	Kennedy
Grady	Keating

MESSAGES FROM THE SENATE

Senate joint resolution passed and transmitted to the House for concurrence: 4/20/91

SJR 30, introduced by Harding

Conference committee report #1 adopted: 4/22/91

HB 26, introduced by Cody

SB 191, introduced by T. Beck

Free conference committee report #1 adopted: 4/22/91

HB 451, introduced by Brooke
HB 913, introduced by J. Johnson

The Senate, on 4/22/91, dissolved the conference committee on House amendments to SB 58 and appointed a free conference committee to meet with a like committee from the House to confer on SB 58.

President Mazurek appointed the following members:

Senator Yellowtail, Chairman
Senator Halligan
Senator Harp

The Senate requests that the House appoint a like committee to confer on SB 58.

The Senate, on 4/22/91, dissolved the conference committee on House amendments to SB 94 and appointed a free conference committee to meet with a like committee from the House to confer on SB 94.

President Mazurek appointed the following members:

Senator Weeding, Chairman
Senator Beck
Senator Bianchi

The Senate requests that the House appoint a like committee to confer on SB 94.

The Senate, on 4/22/91, dissolved the conference committee on House amendments to SB 199 and appointed a free conference committee to meet with a like committee from the House to confer on SB 199.

President Mazurek appointed the following members:

Senator Pinsoneault, Chairman
Senator Mazurek
Senator Brown

The Senate requests that the House appoint a like committee to confer on SB 199.

The Senate, on 4/22/91, dissolved the conference committee on House amendments to SB 333 and appointed a free conference committee to meet with a like committee from the House to confer on SB 333.

President Mazurek appointed the following members:

Senator Towe, Chairman

Senator Koehnke
Senator Gage

The Senate requests that the House appoint a like committee to confer on SB 333.

The Senate, on 4/22/91, dissolved the conference committee on House amendments to SB 359 and appointed a free conference committee to meet with a like committee from the House to confer on SB 359.

President Mazurek appointed the following members:

Senator Eck, Chairman
Senator Towe
Senator Nathe

The Senate requests that the House appoint a like committee to confer on SB 359.

The Senate, on 4/22/91, dissolved the conference committee on House amendments to SB 370 and appointed a free conference committee to meet with a like committee from the House to confer on SB 370.

President Mazurek appointed the following members:

Senator Franklin, Chairman
Senator Waterman
Senator Gage

The Senate requests that the House appoint a like committee to confer on SB 370.

The Senate, on 4/22/91, dissolved the conference committee on House amendments to SB 461 and appointed a free conference committee to meet with a like committee from the House to confer on SB 461.

President Mazurek appointed the following members:

Senator Eck, Chairman
Senator Waterman
Senator Gage

The Senate requests that the House appoint a like committee to confer on SB 461.

The Senate, on 4/22/91, dissolved the conference committee on House amendments to SJR 21 and appointed a free conference committee to meet with a like committee from the House to confer on SJR 21.

President Mazurek appointed the following members:

Senator Franklin, Chairman
Senator Doherty

Senator Thayer

The Senate requests that the House appoint a like committee to confer on SJR 21.

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the free conference committee on HB 2:

Representative Peck, Chairman
Representative Kadas
Representative Cobb

Mr. Speaker appointed the following members to the free conference committee on HB 795:

Representative S. Rice, Chairman
Representative Harper
Representative Zook

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House recess until 3:30 p.m. Motion carried.

House recessed at 9:20 a.m.

House reconvened at 3:35 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/23/91
Correctly printed: HJR 56.
Correctly enrolled: HB 26, HB 46, HB 196, HB 244, HB 471, HB 511, HB 528, HB 567, HB 698, HB 701, HB 781, HB 787, HB 864, HB 914, HB 976.
Examined by the sponsor and found to be correct:
HB 26 - Cody
HB 46 - Galvin
HB 196 - Kilpatrick
HB 244 - Thomas
HB 471 - R. Johnson
HB 511 - R. Johnson
HB 528 - Brooke
HB 567 - Fagg
HB 698 - Scott
HB 701 - Driscoll
HB 738 - Elliott
HB 781 - Kimberley
HB 787 - Quilici

HB 914 - S. Rice
HB 976 - Swysgood
HB 1012 - Elliott

Signed by the Speaker at 3:40 p.m., 4/23/91: SB 53, SB 82, SB 174, SB 177, SB 178, SB 205, SB 209, SB 211, SB 215, SB 262, SB 263, SB 275, SB 280, SB 313, SB 318, SB 362, SB 366, SB 368, SB 384, SB 389, SB 390, SB 393, SB 409, SB 415, SB 416, SB 420, SB 427, SB 456.

Delivered to the Governor for his approval at 10:50 a.m., 4/23/91: HB 684, HB 699, HB 753, HB 790, HB 803, HB 809, HB 868, HB 869, HB 896, HB 903, HB 970, HB 993, HB 994.

JUDICIARY (Strizich, Chairman): 4/23/91
HJR 56, introduced bill, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman): 4/23/91
SJR 30, third reading copy, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

The Senate, on 4/19/91, failed to concur in House amendments to SB 17 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 17.

President Mazurek appointed the following members:

Senator Blaylock, Chairman
Senator Towe
Senator Brown

The Senate, on 4/23/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 5.

President Mazurek appointed the following members:

Senator Jergeson, Chairman
Senator Weeding
Senator Harding

The Senate, on 4/23/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 7.

President Mazurek appointed the following members:

Senator Lynch, Chairman
Senator Hockett
Senator Devlin

The Senate, on 4/23/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 131.

President Mazurek appointed the following members:

Senator Yellowtail, Chairman
Senator Svrcek
Senator Gage

The Senate, on 4/23/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 589.

President Mazurek appointed the following members:

Senator Waterman, Chairman
Senator Fritz
Senator Hammond

The Senate, on 4/23/91, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 752.

President Mazurek appointed the following members:

Senator Towe, Chairman
Senator Halligan
Senator Grosfield

The Senate, on 4/23/91, acceded to the request of the House and dissolved the conference committee on Senate amendments to HB 795 and appointed a free conference committee to meet with a like committee from the House to confer on HB 795.

President Mazurek appointed the following members:

Senator Doherty, Chairman
Senator Mazurek
Senator Crippen

The Senate, on 4/22/91, acceded to the request of the House and dissolved the conference committee on Senate amendments to HB 963 and appointed a free conference committee to meet with a like committee from the House to confer on HB 963.

President Mazurek appointed the following members:

Senator Bengtson, Chairman
Senator Rea
Senator Aklestad

The Senate, on 4/22/91, acceded to the request of the House and dissolved the conference committee on Senate amendments to HB 973 and appointed a free conference committee to meet with a like committee from the House to confer on HB 973.

President Mazurek appointed the following members:

Senator Kennedy, Chairman
Senator Bruski
Senator Tveit

The Senate, on 4/22/91, acceded to the request of the House and dissolved the conference committee on Senate amendments to HJR 24 and appointed a free conference committee to meet with a like committee from the House to confer on HJR 24.

President Mazurek appointed the following members:

Senator Halligan, Chairman
Senator Towe
Senator Brown

The Senate, on 4/23/91, dissolved the conference committee on House amendments to SB 266 and appointed a free conference committee to meet with a like committee from the House to confer on SB 266.

President Mazurek appointed the following members:

Senator Koehnke, Chairman
Senator Stimatz
Senator Grosfield

The Senate requests that the House appoint a like committee to confer on SB 266.

The Senate, on 4/23/91, dissolved the conference committee on House amendments to SB 326 and appointed a free conference committee to meet with a like committee from the House to confer on SB 326.

President Mazurek appointed the following members:

Senator Eck, Chairman
Senator Waterman
Senator Aklestad

The Senate requests that the House appoint a like committee to confer on SB 326.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 55 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell,

Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 86

Noes: Barnett, Bergsagel, R. DeBruycker, Ellis, Feland, Grinde, Hayne, Simpkins, Spring, Swysgood, Thoft, Zook.
Total 12

Excused: Gould.
Total 1

Absent or not voting: Boharski.
Total 1

HB 20, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Bergsagel, Gilbert.
Total 2

Excused: Gould.
Total 1

Absent or not voting: Boharski.
Total 1

HB 825, free conference committee report #1, adopted as follows:

Ayes: Bachini, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster,

Galvin, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Barnhart, Brooke, Cohen, Russell, Southworth.
Total 5

Excused: Gervais, Gould.
Total 2

Absent or not voting: Bardanouve.
Total 1

SB 18, conference committee report #1, adopted as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bergsagel, McCaffree, Peck.
Total 3

Excused: Gervais, Gould.
Total 2

Absent or not voting: Bardanouve.
Total 1

SB 154, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas,

Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Bergsagel, R. DeBruycker, McCaffree.
Total 3

Excused: Gervais, Gould.
Total 2

Absent or not voting: None.
Total 0

SB 192, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 92

Noes: Bergsagel, R. DeBruycker, Kasten, Peck, Peterson, Zook.
Total 6

Excused: Gervais, Gould.
Total 2

Absent or not voting: None.
Total 0

SB 301, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Feland, Forrester, Galvin, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe,

Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Mr. Speaker.
Total 75

Noes: Becker, Bergsagel, Cromley, Davis, Ellis, Fagg, Foster, Hayne, Hoffman, Kasten, Keller, Larson, Measure, Mercer, T. Nelson, Peck, Peterson, Scott, Spring, Steppler, Wallin, Wyatt, Zook.
Total 23

Excused: Gervais, Gould.
Total 2

Absent or not voting: None.
Total 0

SB 327, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Strizich, Swysgood, Thoft, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Brooke, Cohen, Davis, Measure, Russell, Southworth, Stickney, Toole.
Total 8

Excused: Gervais, Gould.
Total 2

Absent or not voting: Thomas.
Total 1

SB 379, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Pavlovich,

Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 80

Noes: Barnhart, Becker, Bergsagel, D. Brown, Cody, Cohen, R. DeBruycker, Gilbert, Kasten, Lee, Measure, Nisbet, O'Keefe, Peck, Phillips, Steppler, Wyatt.
Total 17

Excused: Gervais, Gould.
Total 2

Absent or not voting: Connelly.
Total 1

SB 425, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Bergsagel, R. DeBruycker, Measure, Ream.
Total 4

Excused: Gervais, Gould.
Total 2

Absent or not voting: Barnhart.
Total 1

SB 434, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips,

Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Gervais, Gould.
Total 2

Absent or not voting: Darko.
Total 1

SB 462, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: R. DeBruycker.
Total 1

Excused: Gervais, Gould.
Total 2

Absent or not voting: None.
Total 0

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Grinde in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 240 - Representative Raney moved the free conference committee report #1 to HB 240 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Bergsagel, Brooke, Clark, R. DeBruycker, Kadas, Lee.
Total 6

Excused: Gervais, Gould.
Total 2

Absent or not voting: None.
Total 0

HB 973 - Representative Stang moved the free conference committee report #1 to HB 973 be adopted. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellison, Forrester, Galvin, Gilbert, Grinde, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Mr. Speaker.
Total 70

Noes: Bachini, Benedict, Bergsagel, J. DeBruycker, R. DeBruycker, Ellis, Feland, H. S. Hanson, M. Hanson, Hayne, Kasten, McCulloch, Mercer, Peterson, Phillips, J. Rice, Swysgood, Thoft, Thomas, Zook.
Total 20

Excused: Gervais, Gould.
Total 2

Absent or not voting: Boharski, Cobb, Fagg, Foster, Grady, Knox, Simpkins, Wyatt.
Total 8

SB 359 - Representative Stang moved the free conference committee report #1 to SB 359 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Brooke, Southworth.
Total 2

Excused: Gervais, Gould.
Total 2

Absent or not voting: None.
Total 0

SJR 30 - Representative Davis moved SJR 30 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Southworth.
Total 1

Excused: Gervais, Gould.
Total 2

Absent or not voting: Brooke, Cobb, Kadas, Measure, Ream.
Total 5

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Grinde moved the adoption of the committee report. Report adopted. (94-4)

MOTIONS

Representative Driscoll moved the House dissolve the conference committee on Senate amendments to HB 77 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on HB 77. Motion carried.

Representative Driscoll moved the House accede to the request of the Senate and dissolve the conference committee on Senate amendments to HB 801 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on HB 801. Motion carried.

Representative Driscoll moved the House dissolve the conference committees on House amendments to SB 266 and SB 326 and the Speaker be authorized to appoint free conference committees to meet with like committees from the Senate to confer on SB 266 and SB 326. Motion carried.

Representative Driscoll moved the House accede to the request of the Senate to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 17. Motion carried.

Representative Driscoll moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Governor's amendments to HB 580. Motion carried.

Representative Driscoll moved the House dissolve the conference committee on Senate amendments to HB 7 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on HB 7. Motion failed.

Representative Driscoll moved the House dissolve the conference committee on Governor's amendments to HB 589 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on HB 589. Motion carried.

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 17:

Representative Peck, Chairman
Representative Darko
Representative Grinde

Mr. Speaker appointed the following members to the free conference committee on HB 77:

Representative Quilici, Chairman
Representative Southworth
Representative Clark

Mr. Speaker appointed the following members to the free conference committee on HB 801:

Representative Raney, Chairman
Representative McCarthy
Representative Hoffman

Mr. Speaker appointed the following members to the free conference committee on SB 58:

Representative Strizich, Chairman
Representative Russell
Representative Messmore

Mr. Speaker appointed the following members to the free conference committee on SB 199:

Representative Russell, Chairman
Representative Measure
Representative J. Rice

Mr. Speaker appointed the following members to the free conference committee on SB 266:

Representative O'Keefe, Chairman
Representative Barnhart
Representative Knox

Mr. Speaker appointed the following members to the free conference committee on SB 326:

Representative Stickney, Chairman
Representative Barnhart
Representative R. Johnson

Mr. Speaker appointed the following members to the free conference committee on SJR 21:

Representative Galvin, Chairman
Representative Wyatt
Representative R. DeBruycker

Mr. Speaker appointed the following members to the conference committee on Governor's amendments to HB 580:

Representative Schye, Chairman
Representative Stang
Representative Foster

Mr. Speaker appointed the following members to the conference committee on Governor's amendments to HB 758:

Representative Barnhart, Chairman
Representative Cody
Representative Messmore

Mr. Speaker appointed the following members to the free conference committee on HB 589:

Representative Peck, Chairman
Representative Kimberley
Representative Zook

REPORTS OF SELECT COMMITTEES

Conference Committee
on House Bill 131
Report No. 1, April 23, 1991

Mr. Speaker and Mr. President:

We, your Conference Committee on House Bill 131, met and considered the Governor's amendments to House Bill 131, dated April 5, 1991, and recommend that House Bill 131 (reference copy -- salmon) be amended as follows:

1. Page 6, line 19.
Following: "appointed"
Insert: "by the governor from a list of up to three nominees submitted"

2. Page 6, line 22.
Following: "the"
Strike: "coordinator of Indian affairs"
Insert: "governor"

3. Page 6, line 25 through page 7, line 1.
Following: "the"
Strike: remainder of line 25 through "examiner" on page 7, line 1
Insert: "governor"

4. Page 7, line 3.
Following: "the"
Strike: "coordinator of Indian affairs"
Insert: "governor"

5. Page 7, line 7.
Following: line 6
Strike: "attorney general"
Insert: "governor"

6. Page 11, lines 18 through 20.
Following: "provide" on line 18

Insert: ", within 40 days after notification to the board,"
Following: "board," on line 19
Insert: "the human skeletal remains and burial materials must be removed and"
Following: "control" on line 19
Strike: remainder of line 19 through "materials" on line 20
Following: "board" on line 20
Strike: "and the"
Insert: ". The"

And that this Conference Committee report be adopted.

For the House:	For the Senate:
Brooke, Chair	Yellowtail, Chair
Barnhart	Svrcek
Grady	Gage

Conference Committee
on Senate Bill No. 196
Report No. 1, April 23, 1991

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill No. 196, met and considered the House Judiciary Standing Committee Report dated March 7, 1991, and we recommend that the House recede from its amendments.

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Van Valkenburg, Chair	Strizich, Chair
Halligan	Brooke
T. Beck	Thoft

Free Conference Committee
on House Bill 342
Report No. 1, April 23, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee, met and considered House Bill 342 and recommend that House Bill 342 (reference copy -- salmon -- second printing) be amended as follows:

1. Title, line 11.
Following: "~~AND~~"
Insert: "CREATING REMEDIES FOR FAILURE TO PROVIDE COVERAGE; AND"

2. Title, line 13.
Following: "MCA"

Strike: "; AND PROVIDING AN APPLICABILITY DATE"

3. Page 7, line 19.
Following: "~~trade,~~"
Strike: ", IN A POSITION OTHER THAN A CONSTRUCTION INDUSTRY,"

4. Page 9, line 5.
Following: "(a)"
Insert: "(i)"

5. Page 9, lines 14 and 15.
Following: "himself"
Strike: remainder of line 14 through "SERVICES" on line 15
Following: line 15
Insert: "(ii) A sole proprietor or a working member of a partnership who holds himself out or considers himself an independent contractor and who is contracting for construction industry services must elect to be bound personally and individually by the provisions of compensation plan No. 1, 2, or 3, or must apply to the department for an exemption from the Workers' Compensation Act for himself."

6. Page 19, line 20 through page 20, line 7.
Strike: section 7 in its entirety
Insert: "NEW SECTION. Section 7. Remedies for failure to provide coverage -- construction industry. (1) The department shall, within 5 working days after receiving a complaint, investigate the complaint and apply the remedy as provided in 39-71-507(1) against an uninsured employer or a sole proprietor or a working member of a partnership who:

(a) holds himself out to be or considers himself to be an independent contractor; and

(b) has contracted for construction industry services and:

(i) has not elected to be bound personally and individually by the provisions of compensation plan No. 1, 2, or 3; or

(ii) has not obtained an exemption from the Workers' Compensation Act for himself.

(2) This section does not preclude the department from applying other remedies in Title 39, chapter 71, part 5, to independent contractors.

NEW SECTION. Section 8. Codification instruction. [Section 7] is intended to be codified as an integral part of Title 39, chapter 71, and the provisions of Title 39, chapter 71, apply to [section 7]."

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
Wanzenried, Chair	Doherty, Chair
Driscoll	Lynch
Fagg	Keating

Free Conference Committee
on House Bill 963
Report No. 1, April 23, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee, met and considered House Bill 963 and recommend that House Bill 963 (reference copy -- salmon) be amended as follows:

1. Title, line 18.
Strike: "SECTION"
Insert: "SECTIONS"
Following: "17-7-502"
Insert: "AND 53-1-413"

2. Page 2, line 15.
Following: "SERVICE"
Strike: "."

3. Page 3, lines 5 and 6.
Following: "." on line 5
Strike: remainder of line 5 through "ALL"
Insert: "All"

4. Page 3, line 21.
Following: "."
Insert: "Notwithstanding 77-2-302(1) and upon foreclosure of a mortgage given to secure the loan agreement, there must be paid to the board of land commissioners as a first and prior claim against the mortgaged land an amount equal to the full market value of the land as determined by the board prior to the execution of the mortgage and after appraisal by a qualified land appraiser."

5. Page 3, line 24.
Strike: "[SECTIONS 1 THROUGH 3]"
Insert: "Title 90, chapter 7"

6. Page 6, line 7.
Following: line 6
Insert: "Section 4. Section 53-1-413, MCA, is amended to read:

"53-1-413. Deposit of payments. (1) Except as provided in [section 1] and subsection (2) of this section, the department shall deposit payments of per diem and ancillary charges in the state treasury to the credit of the general fund.

(2) Payments from the Montana veterans' home shall be deposited in the federal special revenue fund for the benefit of the home, and payments from the Montana state hospital alcohol program shall be deposited to an alcohol state special revenue account.""
Renumber: subsequent section

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
Bardanouve, Chair	Bengtson, Chair
Madison	Rea
Peterson	Aklestad

Free Conference Committee
on House Bill 973
Report No. 1, April 23, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee, met and considered House Bill 973 and recommend that House Bill 973 (reference copy -- salmon) be amended as follows:

1. Title, line 11.
Strike: "$4"
Insert: "$5"

2. Title, line 15.
Following: "DATES"
Insert: "AND A TERMINATION DATE"

3. Page 23, line 20.
Page 24, line 6.
Strike: "$4"
Insert: "$5"

4. Page 30, line 5.
Following: line 4
Insert: "NEW SECTION. Section 17. Termination. [Sections 7(2)(a), 8, and 12] and the amendments to 75-11-301 and 75-11-313(2)(a) terminate July 1, 1993."

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
Stang, Chair	Kennedy, Chair
L. Nelson	Bruski
Tunby	Tveit

Free Conference Committee
on Senate Bill No. 16
Report No. 1, April 23, 1991

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 16, met, considered, and recommend that Senate Bill No. 16 (reference copy - salmon) be amended as follows:

1. Title, line 11.
Strike: "33-7-406,"

2. Page 9, line 2.
Strike: "10.00"
Insert: "15.00"

3. Page 17, lines 14 through 24.
Strike: section 7 in its entirety
Renumber: subsequent sections

4. Page 55, line 6.
Strike: "23"
Insert: "22"

5. Page 55, line 9.
Strike: "23"
Insert: "22"

6. Page 55, line 10.
Strike: "24"
Insert: "23"

7. Page 55, line 13.
Strike: "24"
Insert: "23"

8. Page 55, line 14.
Strike: "25"
Insert: "24"

9. Page 55, line 17.
Strike: "25"
Insert: "24"

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Kennedy, Chair	McCulloch, Chair
Bruski	Pavlovich
Gage	T. Nelson

Free Conference Committee
on Senate Bill No. 94
Report No. 1, April 23, 1991

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 94, met and considered Senate Bill No. 94 (reference copy - salmon).

We recommend that Senate Bill No. 94 (reference copy - salmon) be amended as follows:

1. Title, line 17.
Following: "~~MCA;~~"
Insert: "CHANGING THE NAME OF THE MONTANA RESOURCE INDEMNITY TRUST ACT; REALLOCATING A PORTION OF THE TAX PROCEEDS TO THE GROUND WATER ASSESSMENT ACCOUNT;"

2. Title, line 18.
Following: "SECTIONS"
Insert: "15-38-101, 15-38-102, 15-38-106,"

3. Title, line 19.
Following: "PROVIDING"
Strike: "AN"
Following: "EFFECTIVE"
Strike: "DATE"
Insert: "DATES"

4. Page 1, line 24.
Following: "through"
Strike: "6"
Insert: "7"

5. Page 2, line 24.
Following: "through"
Strike: "6"
Insert: "7"

6. Page 3, line 10.
Following: "through"
Strike: "6"
Insert: "7"

7. Page 3, line 15.
Following: "section"
Strike: "7"
Insert: "8"

8. Page 4, line 6.
Following: "through"
Strike: "6"
Insert: "7"

9. Page 4, line 9.
Following: "through"
Strike: "6"
Insert: "7"

10. Page 4, line 15.
Following: "through"
Strike: "6"

Insert: "7"

11. Page 5, line 25.
Following: "through"
Strike: "6"
Insert: "7"

12. Page 6, line 4.
Following: "through"
Strike: "6"
Insert: "7"

13. Page 6, line 5.
Following: line 4
Insert: "NEW SECTION. Section 5. Ground water assessment account. (1) There is a ground water assessment account within the state special revenue fund established in 17-2-102. The Montana bureau of mines and geology is authorized to expend amounts from the account necessary to carry out the purposes of [sections 1 through 7].

(2) The account may be used by the Montana bureau of mines and geology only to carry out the provisions of [sections 1 through 7].

(3) Subject to the direction of the ground water assessment steering committee, the Montana bureau of mines and geology shall investigate opportunities for the participation and financial contribution of agencies of federal and local governments to accomplish the purposes of [sections 1 through 7].

(4) There must be deposited in the account:

(a) on July 1, 1993, and at the beginning of each succeeding fiscal year, 14.1% of the proceeds from the resource indemnity and ground water assessment tax as authorized by 15-38-106, unless at the beginning of the fiscal year the unobligated cash balance in the ground water assessment account:

(i) equals or exceeds $666,000, in which case no allocation will be made and the funds must be deposited in the resource indemnity trust fund established by 15-38-201; or

(ii) is less the $666,000, in which case an amount equal to the difference between the unobligated cash balance and $666,000 must be allocated to the ground water assessment account and any remaining amount must be deposited in the resource indemnity trust fund established by 15-38-201;

(b) funds provided by federal or state government agencies and by local governments to carry out the purposes of [sections 1 through 7]; and

(c) funds provided by any other public or private sector organization or person in the form of gifts, grants, or contracts specifically designated to carry out the purposes of [sections 1 through 7]."
Renumber: subsequent sections

14. Page 6, line 22.
Following: "section"

Strike: "7"
Insert: "8"

15. Page 8, line 5.
Following: "section"
Strike: "5(1)"
Insert: "6(1)"

16. Page 20, line 15.
Following: line 14
Insert: "Section 14. Section 15-38-101, MCA, is amended to read:

"15-38-101. Short title. This chapter shall be known and may be cited as "The Montana Resource Indemnity Trust and Ground Water Assessment Act"."

Section 15. Section 15-38-102, MCA, is amended to read:

"15-38-102. Legislative policy. It is the policy of the state of Montana to indemnify its citizens for the loss of long-term value resulting from the depletion of its mineral resource base and for environmental damage caused by mineral development. This policy of indemnification is achieved by establishing a permanent resource indemnity trust, as required by Article IX, section 2, of the Montana constitution, by supporting ground water assessment programs from the proceeds of a tax levied on mineral extraction, and by allocating spendable ~~trust~~ revenues:

(1) to protect and restore the environment from damages resulting from mineral development; ~~and~~

(2) to support a variety of development programs that benefit the economy of the state and the lives of Montana citizens; and

(3) to assess the state's ground water resources."

Section 16. Section 15-38-106, MCA, is amended to read:

"15-38-106. Payment of tax -- records -- collection of taxes -- refunds. (1) The tax imposed by this chapter shall be paid by each person to which the tax applies, on or before March 31, on the value of product in the year preceding January 1 of the year in which the tax is paid. The tax shall be paid to the department at the time the statement of yield for the preceding calendar year is filed with the department.

(2) The department shall deposit the proceeds of the tax in the resource indemnity trust fund of the nonexpendable trust fund type, except that 14.1% of the proceeds must be deposited in the ground water assessment account established by [section 5]. Every person to whom the tax applies shall keep records in accordance with 15-38-105, and the records are subject to inspection by the department upon reasonable notice during normal business hours.

(3) The department shall examine the statement and compute the taxes thereon, and the amount computed by the department shall be the taxes imposed, assessed against, and payable by the taxpayer. If the tax found to be due is greater than the amount paid, the excess shall be paid by the taxpayer to the

department within 30 days after written notice of the amount of deficiency is mailed by the department to the taxpayer. If the tax imposed is less than the amount paid, the difference must be applied as a tax credit against tax liability for subsequent years or refunded if requested by the taxpayer."

NEW SECTION. Section 17. Name change. In the provisions of the Montana Code Annotated, the code commissioner is instructed to change the term "resource indemnity trust tax", meaning the tax created by Title 15, chapter 38, to "resource indemnity and ground water assessment tax"."

Renumber: subsequent sections

17. Page 20, line 23.
Following: "through"
Strike: "6"
Insert: "7"

18. Page 20, line 25.
Following: "through"
Strike: "6"
Insert: "7"

19. Page 21, line 1.
Following: "Section"
Strike: "7"
Insert: "8"

20. Page 21, line 4.
Following: "section"
Strike: "7"
Insert: "8"

21. Page 21, line 12.
Following: "Effective"
Strike: "date. [This act] is"
Insert: "dates. (1) [Sections 1 through 4, 6 through 13, 18 through 20, 22, and this section] are"

22. Page 21.
Following: line 13
Insert: "(2) [Sections 5 and 14 through 17] are effective July 1, 1993."

23. Page 21, lines 15 and 16.
Following: "SECTIONS" on line 15
Strike: "8 THROUGH 12"
Insert: "9 through 13"

And that this Free Conference Committee report be adopted.

For the Senate: For the House:

Weeding, Chair Raney, Chair

Bianchi Connelly
T. Beck Gilbert

Free Conference Committee
on Senate Bill No. 226
Report No. 1, April 23, 1991

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 226, met, considered, and we recommend that Senate Bill No. 226 (reference copy - salmon) be amended as follows:

1. Title, line 12.
Following: "SYSTEMS;"
Insert: "TO PROVIDE THAT THE AMOUNT OF THE EXEMPTION BE REDUCED BY $2 FOR EVERY $1 OF FEDERAL ADJUSTED GROSS INCOME RECEIVED BY THE TAXPAYER IN EXCESS OF $30,000;"

2. Title, line 21.
Strike: "A DELAYED"
Insert: "AN IMMEDIATE"

3. Title, line 22.
Following: "~~DATE.~~"
Insert: "AND A RETROACTIVE APPLICABILITY DATE"

4. Page 8, line 25.
Following: "(c)"
Insert: "(i)"

5. Page 9, line 5.
Following: "~~system~~"
Insert: "except as provided in subsection (2)(c)(ii),"

6. Page 9, line 8.
Following: line 7
Insert: "(ii) for pension and annuity income described under subsection (2)(c)(i), as follows:

(A) each taxpayer filing singly, head of household, or married filing separately shall reduce the total amount of the exclusion provided in (2)(c)(i) by $2 for every $1 of federal adjusted gross income in excess of $30,000 as shown on the taxpayer's return;

(B) in the case of married taxpayers filing jointly, if both taxpayers are receiving pension or annuity income or if only one taxpayer is receiving pension or annuity income, the exclusion claimed as provided in subsection (2)(c)(i) must be reduced by $2 for every $1 of federal adjusted gross income in excess of $30,000 as shown on their joint return;"

7. Page 21, line 1.

Following: "$3,600"
Insert: "or adjusted by an amount determined pursuant to 15-30-111(2)(c)(ii)"

8. Page 21, line 17.
Following: "$3,600"
Insert: "or adjusted by an amount determined pursuant to 15-30-111(2)(c)(ii)"

9. Page 22, line 9.
Following: "$3,600"
Insert: "or the amount as determined pursuant to 15-30-111(2)(c)(ii)"

10. Page 22, line 19.
Following: "$3,600"
Insert: "or adjusted by an amount determined pursuant to 15-30-111(2)(c)(ii)"

11. Page 23, line 10.
Following: "$3,600"
Insert: "or adjusted by an amount determined pursuant to 15-30-111(2)(c)(ii)"

12. Page 24, line 1.
Following: "$3,600"
Insert: "or adjusted by an amount determined pursuant to 15-30-111(2)(c)(ii)"

13. Page 24, line 14.
Following: "$3,600"
Insert: "or adjusted by an amount determined pursuant to 15-30-111(2)(c)(ii)"

14. Page 24, line 25.
Following: "$3,600"
Insert: "or the amount as determined pursuant to 15-30-111(2)(c)(ii)"

15. Page 25, line 10.
Following: "$3,600"
Insert: "or the amount as determined pursuant to 15-30-111(2)(c)(ii)"

16. Page 25, line 19.
Following: "$3,600"
Insert: "or the amount as determined pursuant to 15-30-111(2)(c)(ii)"

17. Page 26, line 2.
Following: "$3,600"
Insert: "or adjusted by an amount determined pursuant to 15-30-111(2)(c)(ii)"

18. Page 26, line 12.
Following: "$3,600"

Insert: "or adjusted by an amount determined pursuant to 15-30-111(2)(c)(ii)"

19. Page 29, line 7.
Following: "~~applicability~~"
Insert: "-- retroactive applicability"

20. Page 29, line 9.
Strike: "APPLIES"
Insert: "is effective on passage and approval and applies retroactively, within the meaning of 1-2-109,"

21. Page 29, line 10.
Strike: "1992"
Insert: "1990"

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Halligan, Chair	Driscoll, Chair
Yellowtail	O'Keefe
Harp	J. Rice

Free Conference Committee
on Senate Bill No. 333
Report No. 1, April 23, 1991

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 333, met and considered Senate Bill No. 333 (reference copy - salmon) and recommend that Senate Bill No. 333 (reference copy - salmon) be amended as follows:

1. Title, line 5.
Strike: "CLARIFYING" on line 5
Insert: "requiring"

2. Page 21.
Following: line 1
Insert: "NEW SECTION. Section 11. Conditional Grandfather Clause for certain Montana Shareholders of Foreign Corporations that have elected S corporation status for federal tax purposes. A Montana taxpayer who is a shareholder in a corporation that is not doing business in Montana and has elected S corporation status for federal tax purposes can apply Section 15-3-111(3) (1989) for all tax years beginning on or before December 31, 1996, if the following conditions are met:

(1) The taxpayer can establish by substantial, credible evidence that the department of revenue gave the taxpayer advice concerning the application of Section 15-30-111(3), to the taxpayer's facts and circumstances.

(2) The taxpayer can establish by substantial, credible evidence that he relied on that advice to his detriment."
Renumber: subsequent sections

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Towe, Chair	Harrington, Chair
Koehnke	Elliott
Gage	Foster

Free Conference Committee
on Senate Bill No. 359
Report No. 1, April 23, 1991

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 359, met and considered Senate Bill No. 359 (reference copy - salmon) and recommend that Amendments No. 1 and 7 in the House Taxation Standing Committee Report dated April 13, 1991, be stricken in their entirety; and

We recommend that Senate Bill No. 359 (reference copy - salmon) be further amended as follows:

1. Page 2, line 13.
Following: "Montana"
Insert: "on a full-time basis"

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Eck, Chair	Stang, Chair
Towe	J. DeBruycker
Nathe	Foster

MESSAGES FROM THE SENATE

The Senate, on 4/23/91, dissolved the conference committee on Senate amendments to HB 77 and appointed a free conference committee to meet with a like committee from the House to confer on HB 77.

President Mazurek appointed the following members:

Senator Lynch, Chairman
Senator Hockett
Senator Hammond

The Senate, on 4/23/91, dissolved the conference committee on House amendments to SB 51 and appointed a free conference committee to meet with a like committee from the House to confer on SB 51.

President Mazurek appointed the following members:

Senator Van Valkenburg, Chairman
Senator Pinsoneault
Senator Crippen

The Senate requests that the House appoint a like committee to confer on SB 51.

The Senate, on 4/23/91, dissolved the conference committee on House amendments to SB 246 and appointed a free conference committee to meet with a like committee from the House to confer on SB 246.

President Mazurek appointed the following members:

Senator Svrcek, Chairman
Senator Towe
Senator Nathe

The Senate requests that the House appoint a like committee to confer on SB 246.

MOTIONS

Representative Russell moved additional sponsors be added to HJR 56. Motion carried.

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HJR 56: Lee, Measure, Brooke, Toole.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 8:30 a.m., Wednesday, April 24, 1991. Motion carried.

House adjourned at 4:20 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

EIGHTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
April 24, 1991

House Chambers
State Capitol

House convened at 8:35 a.m. Mr. Speaker in the Chair. Invocation by Representative J. Rice. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the seventy-sixth, seventy-eighth, eightieth, eighty-first and eighty-second legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/24/91
Correctly engrossed: SB 473, SJR 30.
Signed by the Speaker at 8:15 a.m., 4/24/91: HB 24, HB 25, HB 26, HB 46, HB 196, HB 244, HB 471, HB 511, HB 528, HB 567, HB 698, HB 701, HB 738, HB 781, HB 787, HB 914, HB 976, HB 1012.

NATURAL RESOURCES (Raney, Chairman): 4/23/91
SB 472, third reading copy, be amended as follows:

1. Page 17, line 8.
Following: "WATER."
Insert: "Any use or disposition of water from Big Horn Reservoir off the Reservation by the Tribe is subject to the specific provisions relating to such use or disposition in any act of Congress ratifying this Compact."

And, as amended, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 801
Report No. 1, April 23, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee, met and considered House Bill 801 and recommend that House Bill 801 (reference copy -- salmon) be amended as follows:

1. Title, line 9.
Following: "~~OF~~"
Insert: "ALL OTHER PROPERTY OWNED BY THE OWNER OF"

2. Title, line 10.
Strike: "ASSESSED"

3. Page 2, line 21.

Strike: "UNADDRESSED"

4. Page 2, line 24 through page 3, line 2.
Strike: "THAT" on page 2, line 24 through "OR" on page 3, line 2

5. Page 6, line 21.
Following: "activity"
Insert: "and includes postreclamation property that remains environmentally unsound or is subject to environmental land use controls"

6. Page 7, lines 1 through 4.
Strike: "ARE" on line 1 through "OR" on line 4
Following: "STATE" on line 4
Insert: "court or administrative"
Following: "ORDER"
Insert: "or consent decree"

7. Page 13, lines 19 and 20.
Strike: "THE CLASS TWENTY-ONE PROPERTY ASSESSED"
Insert: "all real and personal property owned by the owner of the class twenty-one property as well as a lien upon the property upon which the taxes are due"

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
Raney, Chair	Bianchi, Chair
McCarthy	Lynch
Hoffman	T. Beck

Free Conference Committee
on Senate Bill No. 189
Report No. 1, April 23, 1991

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 189, met and considered Senate Bill No. 189 (reference copy - salmon).

We recommend that Senate Bill No. 189 (reference copy - salmon) be amended as follows:

1. Title, line 10.
Strike: "7-7-4426,"
Following: "7-13-209,"
Insert: "7-13-210,"

2. Title, line 11.
Strike: "7-13-231,"

3. Title, line 12.

Strike: "7-13-211,"

4. Page 8, lines 6 through 8.
Strike: "a" on line 6 through "BASIS" on line 8
Insert: "an insufficient number of protests have been made as provided for in 7-13-211"

5. Page 9, line 25.
Following: "charges"
Insert: ", which may not be less than the actual cost of providing services"

6. Page 12, line 12.
Strike: "Bonds"
Insert: "Revenue bonds"

7. Page 12, lines 18 through 22.
Strike: subsection (2) in its entirety
Renumber: subsequent subsections

8. Page 13, line 3.
Following: "7-13-233"
Insert: "that are collected other than through tax notices and a lien upon property"

9. Page 13, line 4.
Strike: subsection (b) in its entirety
Renumber: subsequent subsections

10. Page 13, lines 8 through 21.
Strike: sections 15 and 16 in their entirety
Insert: "NEW SECTION. Section 15. Solid waste management district bonds authorized. (1) With the approval of the board of county commissioners, a solid waste management district may borrow money by the issuance of its bonds to:

(a) provide funds for payment of part or all of the cost of acquisition of property, construction of improvements, and purchase of equipment;

(b) provide an adequate working capital; and

(c) pay costs related to the planning, designing, and financing of a solid waste management system.

(2) The amount of bonds issued for the purposes provided for in subsection (1) and outstanding at any time may not exceed 22.5% of the taxable value of the property in the district as ascertained by the last assessment for state and county taxes prior to the issuance of the bonds.

(3) Each year at the time of levying county taxes, the board of county commissioners shall fix and levy a tax upon all property within the district sufficient to raise the amount necessary for the payment of bonded indebtedness.

(4) The bonds must be authorized, sold, and issued and provisions must be made for their payment in the manner and subject to the conditions and limitations prescribed for bonds of school districts in Title 20, chapter 9, part 4."

Renumber: subsequent sections

11. Page 14, line 6.
Strike: "18 through 28"
Insert: "17 through 26"

12. Page 14, lines 8 and 9.
Strike: "18 through 28"
Insert: "17 through 26"

13. Page 14, line 11.
Strike: "21"
Insert: "20"

14. Page 16, line 9.
Strike: "Bonds"
Insert: "Revenue bonds"

15. Page 16, line 11.
Strike: "18 through 28"
Insert: "17 through 26"

16. Page 16, line 15.
Strike: "23]"
Insert: "22] that are collected other than through tax notices and a lien upon property"

17. Page 16, line 16.
Strike: subsection (b) in its entirety
Renumber: subsequent subsections

18. Page 16, lines 20 through 24.
Strike: subsection (2) in its entirety
Renumber: subsequent subsections

19. Page 17, line 1.
Following: "~~and~~"
Insert: "without an election and"

20. Page 17, line 16.
Strike: "18 through 28"
Insert: "17 through 26"

21. Page 17, line 17.
Strike: "18 through 28"
Insert: "17 through 26"

22. Page 17, line 23.
Strike: "18 through 28"
Insert: "17 through 26"

23. Page 18, line 6.
Strike: "18 through 28"

Insert: "17 through 26"

24. Page 18, line 9 through page 19, line 5.
Strike: sections 25 and 26 in their entirety
Insert: "NEW SECTION. Section 24. Joint district bonds authorized. (1) Upon approval of the board of directors of the joint district, a joint district may borrow money by the issuance of its bonds to:

(a) provide funds for payment of part or all of the cost of acquisition of property, construction of improvements, and purchase of equipment;

(b) provide an adequate working capital; and

(c) pay costs related to the planning, designing, and financing of a solid waste management system.

(2) The amount of bonds issued for the purposes provided in subsection (1) and outstanding at any time may not exceed 22.5% of the taxable value of the property in the joint district as ascertained by the last assessment for state and county taxes prior to the issuance of the bonds.

(3) Each year at the time of levying county taxes, the board of county commissioners of each county in the joint district shall fix and levy a tax upon all property in the county within the joint district that is sufficient to raise the amount certified by the board of directors of the joint district for payment of bonded indebtedness of the district.

(4) The bonds must be authorized, sold, and issued and provisions must be made for their payment in the manner and subject to the conditions and limitations prescribed for bonds of school districts in Title 20, chapter 9, part 4. The issuance of the bonds must be approved in each county by the joint district electorate voting on the question."
Renumber: subsequent sections

25. Page 19, line 16 through page 20, line 18.
Strike: sections 29 and 30 in their entirety
Insert: "Section 27. Section 7-13-210, MCA, is amended to read:

"7-13-210. Hearing on protest. (1) At the next regular meeting of the commissioners after the expiration of the time within which the protest provided for in 7-13-209 may be made, the commissioners shall proceed to hear and pass upon all protests so made, and its decision shall be final and conclusive.

(2) The commissioners shall evaluate and rule upon the factual accuracy of and legal basis for all protests made against the resolution of intent. Upon determining a factual or legal defect in the resolution of intent, the commission shall halt all further proceedings or modify the resolution.

~~(2)~~(3) In determining whether or not sufficient protests have been filed in the proposed district to prevent further proceedings therein, property owned by the city, county, and school districts shall be considered the same as any other property in the district. The commissioners may include commercial and industrial establishments in said district.

~~(3)~~(4) The commissioners may adjourn said hearings from time to time.""

Renumber: subsequent sections

26. Page 20, line 19.
Strike: "7-13-211."

27. Page 21, line 4.
Strike: "through"
Insert: "and"
Strike: "16"
Insert: "15"

28. Page 21, line 7.
Strike: "through"
Insert: "and"
Strike: "16"
Insert: "15"

29. Page 21, line 8.
Strike: "17"
Insert: "16"
Strike: "28"
Insert: "26"

30. Page 21, lines 10 and 11.
Strike: "17" on line 10
Insert: "16"
Strike: "28" on line 11
Insert: "26"

31. Page 22, line 4.
Strike: "18"
Insert: "17"
Strike: "28"
Insert: "26"

32. Page 22, line 6.
Strike: "18"
Insert: "17"
Strike: "28"
Insert: "26"

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Weeding, Chair	Cohen, Chair
Rea	O'Keefe
T. Beck	Gilbert

Free Conference Committee
on Senate Bill No. 370
Report No. 1, April 23, 1991

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 370, met, considered, and recommend that Senate Bill No. 370 (reference copy - salmon) be amended as follows:

1. Title, lines 11 and 12.
Strike: "THAT" on line 11 through "TAX" on line 12
Insert: "FOR A VOLUNTARY INCOME TAX CHECKOFF"

2. Title, line 14.
Strike: "15-25-122"
Insert: "15-30-121"

3. Title, line 15.
Following: "~~DATE~~"
Insert: ", A RETROACTIVE APPLICABILITY DATE, AND A TERMINATION DATE"

4. Page 10, line 12 through page 11, line 9.
Strike: section 6 in its entirety
Insert: "Section 6. Section 15-30-121, MCA, is amended to read:

"15-30-121. Deductions allowed in computing net income. In computing net income, there are allowed as deductions:

(1) the items referred to in sections 161 and 211 of the Internal Revenue Code of 1954, or as sections 161 and 211 shall be labeled or amended, subject to the following exceptions which are not deductible:

(a) items provided for in 15-30-123;

(b) state income tax paid;

(2) federal income tax paid within the taxable year;

(3) expenses of household and dependent care services as outlined in subsections (3)(a) through (3)(c) and subject to the limitations and rules as set out in subsections (3)(d) through (3)(f) as follows:

(a) expenses for household and dependent care services necessary for gainful employment incurred for:

(i) a dependent under 15 years of age for whom an exemption can be claimed;

(ii) a dependent as allowable under 15-30-112(5), except that the limitations for age and gross income do not apply, who is unable to care for himself because of physical or mental illness; and

(iii) a spouse who is unable to care for himself because of physical or mental illness;

(b) employment-related expenses incurred for the following services, but only if such expenses are incurred to enable the taxpayer to be gainfully employed:

(i) household services which are attributable to the care of the qualifying individual; and

(ii) care of an individual who qualifies under subsection (3)(a);

(c) expenses incurred in maintaining a household if over half of the cost of maintaining the household is furnished by an individual or, if the individual is married during the applicable period, is furnished by the individual and his spouse;

(d) the amounts deductible in subsection (3)(a) through (3)(c) are subject to the following limitations:

(i) a deduction is allowed under subsection (3)(a) for employment-related expenses incurred during the year only to the extent such expenses do not exceed $4,800;

(ii) expenses for services in the household are deductible under subsection (3)(a) for employment-related expenses only if they are incurred for services in the taxpayer's household, except that employment-related expenses incurred for services outside the taxpayer's household are deductible, but only if incurred for the care of a qualifying individual described in subsection (3)(a)(i) and only to the extent such expenses incurred during the year do not exceed:

(A) $2,400 in the case of one qualifying individual;

(B) $3,600 in the case of two qualifying individuals; and

(C) $4,800 in the case of three or more qualifying individuals;

(e) if the combined adjusted gross income of the taxpayers exceeds $18,000 for the taxable year during which the expenses are incurred, the amount of the employment-related expenses incurred must be reduced by one-half of the excess of the combined adjusted gross income over $18,000;

(f) for purposes of this subsection (3):

(i) married couples shall file a joint return or file separately on the same form;

(ii) if the taxpayer is married during any period of the taxable year, employment-related expenses incurred are deductible only if:

(A) both spouses are gainfully employed, in which case the expenses are deductible only to the extent that they are a direct result of the employment; or

(B) the spouse is a qualifying individual described in subsection (3)(a)(iii);

(iii) an individual legally separated from his spouse under a decree of divorce or of separate maintenance may not be considered as married;

(iv) the deduction for employment-related expenses must be divided equally between the spouses when filing separately on the same form;

(v) payment made to a child of the taxpayer who is under 19 years of age at the close of the taxable year and payments made to an individual with respect to whom a deduction is allowable under 15-30-112(5) are not deductible as employment-related expenses;

(4) in the case of an individual, political contributions determined in accordance with the provisions of section 218(a) and (b) of the Internal Revenue Code that were in effect for the taxable year ended December 31, 1978;

(5) that portion of expenses for organic fertilizer allowed as a deduction under 15-32-303 which was not otherwise deducted in computing taxable income; ~~and~~

(6) contributions to the child abuse and neglect prevention program provided for in 41-3-701, subject to the conditions set forth in 15-30-156.~~;~~ and

(7) contributions to the Montana drug abuse resistance education program provided for in [section 2], subject to the conditions set forth in [section 8]."

NEW SECTION. Section 7. Voluntary checkoff for the Montana drug abuse resistance education program. (1) Each individual taxpayer who is required to file an income tax return under this chapter and who is entitled to a refund may contribute to the Montana drug abuse resistance education program, provided for in [section 2], by marking the appropriate box on his state income tax return.

(2) Each state individual income tax return must contain a provision for indicating a contribution to the Montana drug abuse resistance education program in substantially the following form:

"Montana Drug Abuse Resistance Education (D.A.R.E.) Program. Check this box if you wish to designate $5 ..., $10 ..., or more ... (indicate amount) of your tax refund to help fund the Drug Abuse Resistance Education Program in Montana. On a joint return, check the corresponding box for your spouse if your spouse wishes to contribute $5 ..., $10 ..., or more ... (indicate amount) of the refund for the same purpose."

(3) Money received under this section must be deposited in the Montana drug abuse resistance education trust fund account, created under [section 1], after the department has deducted the amount necessary for the department to administer this section.

NEW SECTION. Section 8. Deductions for contributions to Montana drug abuse resistance education program. A taxpayer who files an individual tax return and who does not elect to take a standard deduction provided for in 15-30-122 may, in computing net income, claim a deduction for the payment of a contribution to the Montana drug abuse resistance education program as follows:

(1) If the taxpayer paid a contribution in the taxable year for which the return is filed, he may deduct the amount of the contribution paid during that year, unless the amount was deducted as provided in subsection (2).

(2) If the taxpayer encloses a check or money order as a contribution when filing his tax return in accordance with 15-30-144, he may elect to take a deduction for the amount of the contribution and apply the deduction in the taxable year for which he is filing the return.

NEW SECTION. Section 9. Deposit of deductible contributions. (1) All money received under [section 8] must be

deposited in the Montana drug abuse resistance education trust fund account established in [section 1].

(2) The department shall immediately forward for deposit in the Montana drug abuse resistance education trust fund account all checks and other orders of payment made as contributions under [section 8]. The department may not make deductions for administrative expenses in the handling of direct payments to the Montana drug abuse resistance education program.

NEW SECTION. Section 10. Codification instruction. [Sections 7 through 9] are intended to be codified as an integral part of Title 15, chapter 30, and the provisions of Title 15, chapter 30, apply to [sections 7 through 9]."

Renumber: subsequent section

5. Page 11, line 11.
Following: "~~(1)~~"
Insert: "-- retroactive applicability"
Following: ","
Insert: "(1)"

6. Page 11, line 18.
Following: line 17
Insert: "(2) [Section 6] applies retroactively, within the meaning of 1-2-109, to taxable years beginning after December 31, 1990.

(3) [Sections 7 and 8] apply to tax forms filed for taxable years beginning after December 31, 1990.

NEW SECTION. Section 12. Contingent termination. [Sections 6(7) and 7 through 9], concerning the voluntary income tax checkoff and allowable income tax deductions for contributions made to the D.A.R.E. program, terminate on January 1 of the first taxable year following the 2 immediately preceding taxable years in which the voluntary checkoff raises less than $20,000 in each of those 2 taxable years."

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Franklin, Chair	Ream, Chair
Waterman	McCaffree
Gage	Hoffman

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/23/91

HJR 46, introduced by Bachini
HJR 47, introduced by Gould
HJR 49, introduced by Toole

Conference committee report #1 adopted: 4/23/91

HB 518, introduced by Messmore
SB 204, introduced by Gage

Free conference committee report #1 adopted: 4/23/91

HB 33, introduced by O'Keefe

The Senate, on 4/23/91, acceded to the request of the House and dissolved the conference committee on Senate amendments to HB 589 and appointed a free conference committee to meet with a like committee from the House to confer on HB 589.

President Mazurek appointed the following members:

Senator Waterman, Chairman
Senator Fritz
Senator Hammond

The Senate, on 4/23/91, acceded to the request of the House and dissolved the conference committee on Senate amendments to HB 801 and appointed a free conference committee to meet with a like committee from the House to confer on HB 801.

President Mazurek appointed the following members:

Senator Bianchi, Chairman
Senator Lynch
Senator Beck

The Senate, on 4/23/91, acceded to the request of the House and dissolved the conference committee on Senate amendments to HJR 24 and appointed a free conference committee to meet with a like committee from the House to confer on HJR 24.

President Mazurek appointed the following members:

Senator Halligan, Chairman
Senator Towe
Senator Brown

The Senate, on 4/23/91, dissolved the conference committee on House amendments to SB 428 and appointed a free conference committee to meet with a like committee from the House to confer on SB 428.

President Mazurek appointed the following members:

Senator Yellowtail, Chairman
Senator Pinsoneault
Senator Nathe

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 23, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 6, 8, 9, 10, 272, 335, 371, 441, 465, 491, 498, 513, 520, 524, 560, 572, 631, 645, 651, 660, 703, 711, 715, 728, 757, 777, 782, 807, 837, 841, 842, 901, 906, 927, 930, 942, 964 and 968 on April 23, 1991.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper
Speaker of the House
House of Representatives
Capitol Station
Helena, Montana 59620

April 23, 1991

The Honorable Joseph P. Mazurek
President
Montana State Senate
Capitol Station
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto the adoption of House Bill 514, "~~AN ACT FREEZING~~ ADJUSTING ~~THE STATEWIDE SALARY SCHEDULES FOR STATE EMPLOYEES AND PROVIDING AN ACROSS THE BOARD~~ FLAT $1 AN HOUR ~~PAY INCREASE TO~~ ALL STATE ~~EMPLOYEES~~ AND PROVIDING AN ACROSS THE BOARD FLAT $1 AN HOUR PAY INCREASE TO ALL STATE EMPLOYEES ~~ON THE STATEWIDE PAY PLAN FOR EACH YEAR OF THE BIENNIUM; PROVIDING FOR~~ THAT ~~SHIFT DIFFERENTIAL PAY AND HAZARDOUS DUTY PAY FOR STATE EMPLOYEES~~ MAY BE NEGOTIATED BY AGENCY; ~~REPEALING THE STATEWIDE CLASSIFICATION SYSTEM AND MANDATING THAT ALL POSITION CLASSIFICATIONS BE NEGOTIATED; PROVIDING THAT AGENCIES MAY NEGOTIATE SEPARATE PAY PLANS; PROVIDING INCREASES TO EMPLOYER CONTRIBUTIONS TO GROUP BENEFITS; REPEALING THE TEACHERS' PAY SCHEDULES AND PROVIDING THAT THE DEPARTMENT OF INSTITUTIONS AND THE DEPARTMENT OF FAMILY SERVICES ADOPT PAY SCHEDULES FOR THEIR TEACHERS THAT ARE EQUAL TO THE PAY SCHEDULES OF TEACHERS IN LOCAL SCHOOL DISTRICTS; PROVIDING AN APPROPRIATION; AMENDING SECTIONS 2-18-104, 2-18-204,~~ 2-18-301, ~~2-18-303, 2-18-384, 2-18-305~~

~~2-18-312, 2-18-313, 2-18-314, 2-18-315, AND 2-18-703, MCA; REPEALING SECTIONS 2-18-201, 2-18-202, 2-18-203, 2-18-205, 2-18-207, 2-18-208, 2-18-209, 2-18-301, AND 2-18-313, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE~~ AN ACT ADJUSTING THE SALARIES OF STATE EMPLOYEES IN EACH YEAR OF THE BIENNIUM; MANDATING THAT EACH AGENCY NEGOTIATE SHIFT DIFFERENTIALS AND HAZARDOUS DUTY PAY WITH EMPLOYEES; PROVIDING INCREASES TO EMPLOYER CONTRIBUTIONS TO GROUP BENEFITS; SPECIFYING A PAY GRADE FOR MEMBERS OF THE STATE TAX APPEAL BOARD; PROVIDING AN APPROPRIATION; AMENDING SECTIONS 2-18-301, 2-18-303, 2-18-312, 2-18-313, 2-18-314, 2-18-315, ~~AND~~ 2-18-703, AND 15-2-102, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

I veto House Bill 514 for the following reasons:

1. House Bill 514 is too costly and cannot be funded with the ongoing revenues available to the state.

2. House Bill 514 ignores the market-based pay plan concept developed and endorsed by a bipartisan, public/private study committee over an 18 month period.

3. House Bill 514 contains technical errors and poor public policy which should not be instituted into a state pay plan.

We are confronted with a strange turn of events. During the decade of the eighties, under a previous administration, state employees were forced to endure pay freezes. There were no efforts to strike under these conditions. In the current session my administration has presented the most generous pay plan proposal offered in 10 years. The response has been met with the threat of a strike. The people of Montana are justified in being disappointed and astonished with the present situation.

The administration remains committed to the passage of a deserving and fundable pay plan in this session. To that end I have authorized the state negotiator to continue his efforts at the collective bargaining table with an enhanced pay plan proposal. While House Bill 514 is not acceptable, I call upon the legislature to use the tools available in this session to pass a responsible pay plan bill.

The resolution of the pay plan issue should contain the following components:

1. The plan should retain a market-based concept following a thorough 18-month study of which the Legislature is aware;

2. It should address the specific concerns of the unions regarding the lower grade scales; and

3. It must be achieved with no increase in taxes.

The state of Montana continues to bargain at the collective bargaining table. The labor negotiator representing the state has been authorized to

submit significant enhancements beyond the administration's original proposal to the union representatives. The significant enhancements offered to state employees in our revised pay plan proposal retain the important aspects of the market-based concept unanimously endorsed by an 18-month study committee. They address the union's concerns about the pay increase afforded workers at the lower pay grades. And, they can be accomplished with no new taxes.

I encourage the honorable members of the Montana House of Representatives and the Montana Senate to work seriously and responsibly toward approving a state pay plan.

Sincerely,

STAN STEPHENS
Governor

Representative Driscoll moved the House recess until 9:45 a.m. Motion carried.

House recessed at 8:40 a.m.

House reconvened at 9:55 a.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/24/91
Correctly enrolled: HB 139, HB 155, HB 306, HB 500, HJR 32.
Examined by the sponsor and found to be correct:
HB 139 - Raney
HB 155 - Strizich
HB 306 - Barnett
HB 500 - Whalen
HJR 32 - Russell
Signed by the Speaker at 8:45 a.m., 4/24/91: SB 267, SB 331, SB 343, SB 394, SB 407, SB 412, SB 440, SB 445.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill No. 428
Report No. 1, April 23, 1991

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 428, met, considered, and we recommend that Senate Bill No. 428 (reference copy - salmon) be amended as follows:

1. Title, lines 11 through 13.
Following: "TO THE" on line 11
Strike: remainder of line 11 through "APPROVAL" on line 13

Insert: "REVENUE OVERSIGHT COMMITTEE AND PROVIDING AN OPPORTUNITY FOR THE COMMITTEE TO REVIEW AND COMMENT BEFORE APPROVAL OF AN AGREEMENT BY THE ATTORNEY GENERAL"

2. Page 2, line 2.
Following: "OF THE"
Strike: "COMMITTEE ON INDIAN AFFAIRS"
Insert: "revenue oversight committee"
Following: "."
Insert: "After negotiations are complete, the agreement must be presented to the revenue oversight committee for review and comment before the final agreement is submitted to the attorney general for approval."

3. Page 4.
Following: line 22
Insert: "NEW SECTION. Section 2. Tribal motor fuels administration account. (1) There is a special revenue account called the tribal motor fuels administration account.

(2) The administrative expenses and refund amounts deducted by the department of revenue under [section 1(3)] must be deposited in the tribal motor fuels administration account.

(3) The tribal motor fuels administration account may be expended by the department only for the purposes of administering the motor fuels tax and providing refunds under [section 1].

NEW SECTION. Section 3. Tribal motor fuels tax account. (1) There is a special revenue account called the tribal motor fuels tax account.

(2) The tax collected under [section 1], except the administrative expenses and refund amounts deducted under [section 1(3)], must be deposited in the tribal motor fuels tax account.

(3) The money in the tribal motor fuels tax account must be disbursed to the tribe, as provided for in the agreement entered into pursuant to [section 1], on a quarterly basis.

NEW SECTION. Section 4. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 15, chapter 70, part 2, and the provisions of Title 15, chapter 70, part 2, apply to [section 1]."
Renumber: subsequent sections

4. Page 4, line 23 through page 5, line 2.
Strike: section 2 in its entirety
Renumber: subsequent sections

And that this Free Conference Committee report be adopted.

For the Senate: For the House:

Yellowtail, Chair Cody, Chair

Pinsoneault Schye
Nathe Gilbert

MOTIONS

Representative Driscoll moved the House accede to the request of the Senate and dissolve the conference committees on House amendments to SB 51 and SB 246 and the Speaker be authorized to appoint free conference committees to meet with like committees from the Senate to confer on SB 51 and SB 246. Motion carried.

Representative Driscoll moved the House dissolve the conference committee on Governor's amendments to HB 580 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on HB 580. Motion carried.

Representative Stang moved the free conference committee report #1 to HB 973 be taken from third reading and rereferred to the free conference committee. Motion carried.

Representative Driscoll moved the House dissolve the conference committee on Senate amendments to HB 5 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on HB 5. Motion carried.

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the free conference committee on SB 51:

Representative Whalen, Chairman
Representative Toole
Representative R. Johnson

Mr. Speaker appointed the following members to the free conference committee on SB 246:

Representative Wyatt, Chairman
Representative Whalen
Representative Boharski

Mr. Speaker appointed the following members to the free conference committee on HB 580:

Representative Schye, Chairman
Representative Stang
Representative Foster

Mr. Speaker appointed the following members to the free conference committee on HB 5:

Representative Bardanouve, Chairman
Representative Connelly

Representative Grady

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 473 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Bergsagel, Cohen, J. DeBruycker, Ellis, Foster, Grinde, H. S. Hanson, M. Hanson, Hayne, Kasten, L. Nelson, Steppler, Swysgood, Thoft.
Total 14

Excused: None.
Total 0

Absent or not voting: Darko, McCaffree.
Total 2

SJR 30 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: Southworth.
Total 1

Excused: None.
Total 0

Absent or not voting: Brooke.
Total 1

HB 240, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Bergsagel, R. DeBruycker, Feland, Kasten, Lee.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 359, free conference committee report #1, adopted as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Bardanouve, Brooke, Driscoll, Harrington, Kadas, Measure, Southworth.
Total 7

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Representative Raney moved the free conference committee report #1 to SB 94 be taken from second reading and rereferred to the free conference committee. Motion carried.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Raney in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 56 - Representative Russell moved HJR 56 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kasten, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 79

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, R. DeBruycker, Ellis, Feland, Gilbert, H. S. Hanson, Hayne, Keller, Knox, McCaffree, Peterson, Simpkins, Spring, Zook.
Total 18

Excused: None.
Total 0

Absent or not voting: Cobb, Kadas, Phillips.
Total 3

HB 131 - Representative Brooke moved the conference committee report #1 to HB 131 be adopted. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J.

Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 81

Noes: Benedict, Bergsagel, Clark, Daily, R. DeBruycker, Feland, Kasten, Knox, Pavlovich, Quilici, Simpkins, Swysgood, Thoft, Thomas, Zook.
Total 15

Excused: None.
Total 0

Absent or not voting: Bardanouve, Cobb, Ellison, Kadas.
Total 4

SB 196 - Representative Strizich moved the conference committee report #1 to SB 196 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 93

Noes: Bergsagel, Boharski, H. S. Hanson, Measure, Wyatt.
Total 5

Excused: None.
Total 0

Absent or not voting: Cobb, S. Rice.
Total 2

HB 342 - Representative Wanzenried moved the free conference committee report #1 to HB 342 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten,

Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 72

Noes: Bergsagel, Boharski, Cobb, Cody, Ellis, Ellison, Feland, Foster, Gilbert, Gould, Grady, M. Hanson, Hayne, Keller, Knox, Lee, Mercer, L. Nelson, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Strizich, Thomas.
Total 27

Excused: None.
Total 0

Absent or not voting: Gervais.
Total 1

HB 963 - Representative Bardanouve moved the free conference committee report #1 to HB 963 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Lee.
Total 1

SB 16 - Representative McCulloch moved the free conference committee report #1 to SB 16 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester,

Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 90

Noes: Bergsagel, Boharski, Feland, Grinde, Hayne, Measure, Swysgood, Thoft, Wyatt.
Total 9

Excused: None.
Total 0

Absent or not voting: Pavlovich.
Total 1

SB 333 - Representative Driscoll moved consideration of the free conference committee report #1 to SB 333 be placed at the top of the second reading board. Motion carried.

Representative Harrington moved the free conference committee report #1 to SB 333 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr.

Speaker in the Chair. Chairman Raney moved the adoption of the committee report. Report adopted. (94-0)

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper April 24, 1991
Speaker of the House
House of Representatives
Capitol Station
Helena, Montana 59620

The Honorable Joseph P. Mazurek
President
Montana State Senate
Capitol Station
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto the adoption of House Bill 643, "AN ACT PROVIDING PROTECTION FOR STATE EMPLOYEES WHOSE POSITIONS ARE ELIMINATED AS A RESULT OF THE PRIVATIZATION~~,~~ OR REORGANIZATION~~,~~ OF A STATE AGENCY OR CLOSURE OF OR REDUCTION IN FORCE AT A STATE ~~INSTITUTION~~ ~~AGENCY~~ INSTITUTION."

House Bill 643 affects any reorganization or closure resulting in a reduction in force in state government, no matter what the cause. The legislation requires extensive notice prior to any reductions or layoffs. It also provides unnecessarily expensive benefits to any affected state employee. For example, any closure or reorganization that would include job loss would require six months prior notice no matter how immediate the need or funding shortage might be. The effect is to hamstring legislative policy makers and managers who may be forced to respond to immediate financial shortages.

In addition, House Bill 643 extends permanent protection of "all rights and benefits held . . ." Among other things, this protects an employee's wages at an equivalent or higher level. This protection exists no matter what type of position the employee subsequently holds. The consequence is that an employee must be rehired at their previous wage rate even if a position available is supposed to pay less. This can cause tremendous morale problems among existing employees in like positions. An agency may very well hesitate to rehire laid off employees when they would be required to pay a much higher salary. This thwarts the intention of this administration to ensure that any employee affected by a reduction in force or reorganization is hired by other state agencies whenever possible.

Under House Bill 643, if a state employee were laid off and subsequently obtained a job with a private employer, they would receive relocation expenses of $1000, career development training, job counseling, and substantial severance pay. All these benefits would be available for up to

two years. Such costs would so unduly burden agencies that no reduction of the size and cost of state government could occur.

One of the very real impacts of House Bill 643 would be to force layoffs of state employees months prior to when they might ordinarily be affected. The extensive benefits granted to a state employee who is laid off cover a two year period and would require an agency contemplating a reduction in employees to accumulate necessary reserves to pay for these benefits. Often, the only way such reserves can be accumulated is to lay off the individuals much earlier than anticipated.

For these reasons, I find it necessary to veto House Bill 643.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 24, 1991

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 804, "AN ACT TO PROVIDE A 100 PERCENT LUMP-SUM PAYMENT OF ACCUMULATED SICK LEAVE, SEVERANCE PAY, AND A RETRAINING ALLOWANCE FOR ~~AN~~ A STATE EMPLOYEE TERMINATED TO ACHIEVE A REDUCTION IN FORCE; TO PROVIDE THAT CONTRIBUTIONS PAYABLE TO ~~AN~~ A STATE EMPLOYEE TERMINATED TO ACHIEVE A REDUCTION IN FORCE ARE SUBJECT TO NEGOTIATION; AMENDING SECTIONS 2-18-618 AND 2-18-703, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

House Bill 804 provides for severance pay, a retraining allowance, and 100 percent payment of sick leave for employees terminated to achieve a reduction in force. The bill also provides that severance pay, a retraining allowance and the contribution to group benefits should be subject to collective bargaining.

The language requiring the state to provide severance pay and retraining allowance benefits is undefined, has no fiscal limits established and provides for no funding. As such, the bill is unacceptable.

However, I do not object to these benefits being allowable subjects for negotiations through collective bargaining, and have proposed amendments which would accomplish this.

The language requiring 100 percent cash payment for accumulated sick leave is unacceptable because accumulated sick leave is not intended to provide severance pay for laid off workers. The sick leave provisions in state law are designed to provide a worker with a paid absence in case of personal or family illness that demands his or her absence from the workplace. My amendments remove the provision in the bill requiring a 100 percent cash pay out for accumulated sick leave.

I urge your concurrence in my amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 804
(REFERENCE COPY, AS AMENDED)
April 24, 1991

1. Title, lines 4 through 6.
Following: "AN ACT TO"
Strike: "PROVIDE A 100 PERCENT LUMP-SUM PAYMENT OF ACCUMULATED SICK LEAVE,"
Insert: "ALLOW THE STATE TO PROVIDE"
Title, line 6.
Following: "PAY"
Strike: ","

2. Page 1, line 16.
Following: "state"
Strike: "shall"
Insert: "may"

3. Page 3, lines 7 through 10.
Strike: subsection (6) in its entirety
Renumber: subsequent sections

The Honorable Hal Harper April 24, 1991
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 857, "AN ACT TO PROVIDE A REVIEW PROCEDURE FOR PROPOSALS TO PRIVATIZE STATE PROGRAMS; TO PROVIDE FOR REVIEW OF CURRENTLY PRIVATIZED STATE PROGRAMS; TO REQUIRE PREPARATION OF A PRIVATIZATION PLAN; TO PROVIDE FOR A PRIVATIZATION REVIEW BY THE LEGISLATIVE AUDIT COMMITTEE; AND PROVIDING AN EFFECTIVE DATE."

House Bill 857 provides review procedures for the contracting of services. Some of the procedures called for in this legislation are duplicative as the contracting agencies already compile much of the information called for.

The sponsor of this bill has stated that his intent is NOT to preclude privatization of state functions when cost savings are achievable. However, two aspects of House Bill 857 restrict the government's ability to achieve savings in the operations of state government. First, the bill imposes an excessive delay on any contracting efforts. The bill calls for advance notice of four months prior to a proposed implementation date. My amendment would reduce this to 90 days and change other advance requirements of the bill accordingly. Current practice of the Department of Administration allows for orderly review and public comment on privatization efforts. These amendments will ensure that this practice is not unduly encumbered by excessive delays.

Second, the bill provides in Section 3 (8) that any proposed privatization of government services must provide the same wages and benefits of the government job being taken over by the private sector. As the Legislature has already imposed the requirement that privatization must show a cost savings, this additional requirement will essentially halt any effort at reducing the size and cost of state government by turning over to the private sector those functions it could do at a savings. My amendment removes this unnecessarily restrictive provision while leaving intact those aspects of the bill which call for review and analysis of any privatization effort.

In addition to these provisions, I have proposed an amendment which is necessary in order to comply with the sponsor's intent to not preclude privatization. This amendment allows state agencies the budgetary authority to implement cost saving contracting or services.

I urge your concurrence in these amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 857
(REFERENCE COPY, AS AMENDED)
April 24, 1991

1. Page 2, line 21.
Following: "least"
Strike: "120"
Insert: "90"

2. Page 2, line 22.
Following: "least"
Strike: "75"
Insert: "60"

3. Page 3, line 1.
Following: "least"
Strike: "30"
Insert: "15"

4. Page 3, line 7.
Following: "contents."
Insert: "(1)"

5. Page 3, line 9.
Strike: "(1)"
Insert: "(a)"
Renumber: subsequent subsections

6. Page 4, lines 12-13.
Following: "privatization"
Strike: ", WHICH MUST REMAIN COMPARABLE TO EXISTING STATE RATES"

7. Page 4, line 15.
Following: "privatization."
Insert: "(2) To implement the privatization plan, an agency may transfer funds between budget categories."

MOTIONS

Representative Driscoll moved the House dissolve the conference committee on Senate amendments to HB 93 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on HB 93. Motion carried.

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the free conference committee on HB 93:

Representative Bradley, Chairman
Representative Squires
Representative Cobb

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House recess until 3:00 p.m. Motion carried.

House recessed at 10:50 a.m.

House reconvened at 3:10 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/24/91
Correctly engrossed: HJR 56.
Correctly enrolled: HB 312, HB 451, HB 568, HB 672, HB 833, HJR 48.
Signed by the Speaker at 2:55 p.m., 4/25/91: HB 139, HB 155, HB 306, HB 500, HJR 32.

REPORTS OF SELECT COMMITTEES

Conference Committee
on House Bill 7
Report No. 1, April 24, 1991

Mr. Speaker and Mr. President:

We, your Conference Committee on House Bill 7, met and considered Senate committee on Finance and Claims amendments, dated April 10, 1991, and recommend that the amendments be accepted in their entirety.

And that this Conference Committee report be adopted.

For the House:	For the Senate:
Connelly, Chair	Lynch, Chair
Thoft	Devlin

Conference Committee
on House Bill 758
Report No. 1, April 24, 1991

Mr. Speaker and Mr. President:

We, your Conference Committee on House Bill 758, met and considered Governor's amendments to House Bill 758, dated April 1, 1991, and recommend that House Bill 758 (reference copy -- salmon) be amended as follows:

1. Page 2, lines 7 and 8.
Strike: "the same amount of time authorized for MATERNAL leave DUE TO DISABILITY following the birth of a child"
Insert: "a period not to exceed 15 working days"

And that this Conference Committee report be adopted.

For the House:	For the Senate:

Barnhart, Chair	Kennedy, Chair
Cody	Blaylock
Messmore	Burnett

Free Conference Committee
on House Bill 494
Report No. 1, April 24, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee, met and considered Senate Amendments to House Bill 494 and recommend that House Bill 494 (amended reference copy -- salmon) be amended as follows:

1. Title, line 11.
Following: "~~EQUIPMENT;~~"
Insert: "PROVIDING THAT A PORTION OF THE FEES BE ALLOCATED TO INCORPORATED CITIES OR TOWNS FOR PROGRAMS AND FACILITIES FOR MINORS, ADULT CHEMICAL DEPENDENCY TREATMENT PROGRAMS, LAW ENFORCEMENT TRAINING PROGRAMS, AND LAW ENFORCEMENT EQUIPMENT; ELIMINATING THE REQUIREMENT THAT THE ANNUAL REPORT CONTAIN INFORMATION REQUESTED BY THE DEPARTMENT;"

2. Title, line 12.
Strike: "SECTION"
Insert: "SECTIONS 61-2-106,"
Following: "61-2-107,"
Insert: "AND 61-2-108,"

3. Page 1, line 25.
Following: "(2)"
Insert: "(a)"

4. Page 2, line 3.
Following: "DEPOSIT"
Insert: "one-half of"

5. Page 2, line 23.
Following: "FUND"
Insert: "to be used for funding county drinking and driving prevention programs as provided in 61-2-108"

6. Page 2, line 24.
Following: line 23
Insert: "(b) The remaining fees collected under subsection (1) that are not allocated under subsection (2)(a) must be deposited in an account in the state special revenue fund to be distributed to county treasurers. The department shall distribute to each county treasurer money in the account collected as license reinstatement fees in that county. The county treasurer shall distribute the money to each incorporated city or town in the county in the ratio that the population of the incorporated city or town bears to the

total population of incorporated cities or towns in the county, based on figures provided by the most recent official census. An incorporated city or town shall distribute the money to state and local government entities, and private entities working with state and local government entities, that operate programs within the county that address the problems and concerns of minors, including but not limited to substance abuse and delinquency and chemical-free youth facilities and programs. Up to one-half of the money distributed under this subsection (b) may be used for adult chemical dependency programs and law enforcement training programs and for equipment for local government law enforcement agencies within the respective jurisdiction."

7. Page 4, line 16.
Following: line 15
Insert: "Section 2. Section 61-2-106, MCA, is amended to read:

"61-2-106. County drinking and driving prevention program. (1) The governing body of a county may appoint a task force to study the problem of alcohol-related traffic accidents and recommend a program designed to:

(a) prevent driving while under the influence of alcohol;

(b) reduce alcohol-related traffic accidents; and

(c) educate the public on the dangers of driving after consuming alcoholic beverages or other chemical substances that impair judgment or motor functions.

(2) A task force appointed under subsection (1) shall conduct its study and submit its recommendations within 6 months from the date it was appointed.

(3) The county governing body may by resolution adopt the recommendations of the task force appointed under subsection (1). The proposed program must be approved by the governor as provided in 61-2-105.

(4) The chairman of the task force shall submit to the county governing body:

(a) a budget and a financial report for each fiscal year; and

(b) an annual report containing but not limited to:

(i) an evaluation of the effectiveness of the program;

(ii) the number of arrests and convictions in the county for driving under the influence of alcohol and the sentences imposed for these convictions;

(iii) the number of alcohol-related traffic accidents in the county; and

(iv) any other information requested by the county governing body ~~or the department~~ or considered appropriate by the task force.

(5) A copy of the annual report ~~must~~ may be submitted to the department."

Section 3. Section 61-2-108, MCA, is amended to read:

"61-2-108. Funding allocation for programs to prevent or reduce drinking and driving. If the county in which the violation or violations occurred has initiated and maintained a drinking and driving prevention program as provided in 61-2-106, the

department shall transmit the county portion of the proceeds of the license reinstatement fees collected in that county to the county treasurer, as provided in 61-2-107(2)(a), at the end of each quarter.""

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
Darko, Chair	Doherty, Chair
Strizich	Svrcek
Swysgood	Rye

Free Conference Committee
on House Bill 752
Report No. 1, April 23, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee, met and considered House Bill 752, and recommend House Bill 752 (reference copy -- salmon) be amended as follows:

1. Title, line 6.
Following: "~~DATE~~"
Insert: "; AND PROVIDING A DELAYED EFFECTIVE DATE"

Page 4, line 12.
Following: "effect"
Strike: "-- notice"

2. Page 4, lines 19 through 21.
Following: "marry." on line 19
Strike: the remainder of line 19 through "party." on line 21.

3. Page 7, line 15.
Following: line 14
Insert: "NEW SECTION. Section 9. Effective date. [This act] is effective July 1, 1992."

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
Toole, Chair	Towe, Chair
J. Rice	Halligan
Southworth	Grosfield

Free Conference Committee
on House Bill 990
Report No. 1, April 23, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee, met and considered House Bill 990 and recommend that House Bill 990 (reference copy -- salmon) be amended as follows:

1. Title, lines 7 and 8.
Strike: "$1 MILLION"
Insert: "$700,000"

2. Page 1, line 19.
Strike: "$1 MILLION"
Insert: "$700,000"

3. Page 1, lines 20 and 21.
Strike: "Lewis and Clark national historic trail interpretive center account established in [section 2]"
Insert: "department of commerce for the Lewis and Clark national historic trail interpretive center"

4. Page 1, line 22.
Following: "money"
Insert: ", along with the $300,000 of other funds specified in [section 2],"

5. Page 3.
Following: line 2
Insert: "NEW SECTION. Section 2. Matching requirement -- contingent reversion. (1) The general fund appropriation in [section 1] must be matched by other funds of $300,000.

(2) If federal matching funds for the Lewis and Clark national historic trail interpretive center are not received by January 1, 1993, the appropriation in [section 1] reverts to the general fund.

(3) If other funds totaling $300,000 are not donated to the Lewis and Clark national historic trail interpretive center by January 1, 1993, the appropriation in [section 1] reverts to the general fund."
Renumber: subsequent section

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
Nisbet, Chair	Franklin, Chair
S. Rice	Fritz
Zook	Aklestad

Free Conference Committee
on Senate Bill No. 94
Report No. 2, April 24, 1991

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 94, met and considered Senate Bill No. 94 (reference copy - salmon).

We recommend that Senate Bill No. 94 (reference copy - salmon) be amended as follows:

1. Title, line 17.
Following: "~~MCA;~~"
Insert: "CHANGING THE NAME OF THE MONTANA RESOURCE INDEMNITY TRUST ACT; REALLOCATING A PORTION OF THE TAX PROCEEDS TO THE GROUND WATER ASSESSMENT ACCOUNT;"

2. Title, line 18.
Following: "SECTIONS"
Insert: "15-38-101, 15-38-102, 15-38-106,"

3. Title, line 19.
Following: "PROVIDING"
Strike: "AN"
Following: "EFFECTIVE"
Strike: "DATE"
Insert: "DATES"

4. Page 1, line 24.
Following: "through"
Strike: "6"
Insert: "7"

5. Page 2, line 24.
Following: "through"
Strike: "6"
Insert: "7"

6. Page 3, line 10.
Following: "through"
Strike: "6"
Insert: "7"

7. Page 3, line 15.
Following: "section"
Strike: "7"
Insert: "8"

8. Page 4, line 6.
Following: "through"
Strike: "6"
Insert: "7"

9. Page 4, line 9.
Following: "through"
Strike: "6"
Insert: "7"

10. Page 4, line 15.
Following: "through"
Strike: "6"

Insert: "7"

11. Page 5, line 25.
Following: "through"
Strike: "6"
Insert: "7"

12. Page 6, line 4.
Following: "through"
Strike: "6"
Insert: "7"

13. Page 6, line 5.
Following: line 4
Insert: "NEW SECTION. Section 5. Ground water assessment account. (1) There is a ground water assessment account within the state special revenue fund established in 17-2-102. The Montana bureau of mines and geology is authorized to expend amounts from the account necessary to carry out the purposes of [sections 1 through 7].

(2) The account may be used by the Montana bureau of mines and geology only to carry out the provisions of [sections 1 through 7].

(3) Subject to the direction of the ground water assessment steering committee, the Montana bureau of mines and geology shall investigate opportunities for the participation and financial contribution of agencies of federal and local governments to accomplish the purposes of [sections 1 through 7].

(4) There must be deposited in the account:

(a) on July 1, 1993, and at the beginning of each succeeding fiscal year, 14.1% of the proceeds from the resource indemnity and ground water assessment tax as authorized by 15-38-106, unless at the beginning of the fiscal year the unobligated cash balance in the ground water assessment account:

(i) equals or exceeds $666,000, in which case no allocation will be made and the funds must be deposited in the resource indemnity trust fund established by 15-38-201; or

(ii) is less the $666,000, in which case an amount equal to the difference between the unobligated cash balance and $666,000 must be allocated to the ground water assessment account and any remaining amount must be deposited in the resource indemnity trust fund established by 15-38-201;

(b) funds provided by federal or state government agencies and by local governments to carry out the purposes of [sections 1 through 7]; and

(c) funds provided by any other public or private sector organization or person in the form of gifts, grants, or contracts specifically designated to carry out the purposes of [sections 1 through 7]."
Renumber: subsequent sections

14. Page 6, line 22.
Following: "section"

Strike: "7"
Insert: "8"

15. Page 8, line 5.
Following: "section"
Strike: "5(1)"
Insert: "6(1)"

16. Page 17, line 21.
Strike: "$20"

17. Page 20, line 11.
Following: "(5)" on line 11.
Strike: "The"
Insert: "In addition to the filing fee prescribed by the board by rule pursuant to 85-2-113, a person filing a notice under subsection (1) of this section shall pay a $10 fee which the"

18. Page 20, line 15.
Following: line 14
Insert: "Section 14. Section 15-38-101, MCA, is amended to read:

"15-38-101. Short title. This chapter shall be known and may be cited as "The Montana Resource Indemnity Trust and Ground Water Assessment Act"."

Section 15. Section 15-38-102, MCA, is amended to read:

"15-38-102. Legislative policy. It is the policy of the state of Montana to indemnify its citizens for the loss of long-term value resulting from the depletion of its mineral resource base and for environmental damage caused by mineral development. This policy of indemnification is achieved by establishing a permanent resource indemnity trust, as required by Article IX, section 2, of the Montana constitution, by supporting ground water assessment programs from the proceeds of a tax levied on mineral extraction, and by allocating spendable ~~trust~~ revenues:

(1) to protect and restore the environment from damages resulting from mineral development; ~~and~~

(2) to support a variety of development programs that benefit the economy of the state and the lives of Montana citizens; and

(3) to assess the state's ground water resources."

Section 16. Section 15-38-106, MCA, is amended to read:

"15-38-106. Payment of tax -- records -- collection of taxes -- refunds. (1) The tax imposed by this chapter shall be paid by each person to which the tax applies, on or before March 31, on the value of product in the year preceding January 1 of the year in which the tax is paid. The tax shall be paid to the department at the time the statement of yield for the preceding calendar year is filed with the department.

(2) The department shall deposit the proceeds of the tax in the resource indemnity trust fund of the nonexpendable trust fund type, except that 14.1% of the proceeds must be deposited in

the ground water assessment account established by [section 5]. Every person to whom the tax applies shall keep records in accordance with 15-38-105, and the records are subject to inspection by the department upon reasonable notice during normal business hours.

(3) The department shall examine the statement and compute the taxes thereon, and the amount computed by the department shall be the taxes imposed, assessed against, and payable by the taxpayer. If the tax found to be due is greater than the amount paid, the excess shall be paid by the taxpayer to the department within 30 days after written notice of the amount of deficiency is mailed by the department to the taxpayer. If the tax imposed is less than the amount paid, the difference must be applied as a tax credit against tax liability for subsequent years or refunded if requested by the taxpayer."

NEW SECTION. Section 17. Name change. In the provisions of the Montana Code Annotated, the code commissioner is instructed to change the term "resource indemnity trust tax", meaning the tax created by Title 15, chapter 38, to "resource indemnity and ground water assessment tax"."

Renumber: subsequent sections

19. Page 20, line 23.
Following: "through"
Strike: "6"
Insert: "7"

20. Page 20, line 25.
Following: "through"
Strike: "6"
Insert: "7"

21. Page 21, line 1.
Following: "Section"
Strike: "7"
Insert: "8"

22. Page 21, line 4.
Following: "section"
Strike: "7"
Insert: "8"

23. Page 21, line 12.
Following: "Effective"
Strike: "date. [This act] is"
Insert: "dates. (1) [Sections 1 through 4, 6 through 13, 18 through 20, 22, and this section] are"

24. Page 21.
Following: line 13
Insert: "(2) [Sections 5 and 14 through 17] are effective July 1, 1993."

25. Page 21, lines 15 and 16.
Following: "SECTIONS" on line 15
Strike: "8 THROUGH 12"
Insert: "9 through 13"

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Weeding, Chair	Raney, Chair
Bianchi	Connelly
T. Beck	Gilbert

Free Conference Committee
on Senate Bill No. 199
Report No. 1, April 24, 1991

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 199, met and considered Senate Bill No. 199 (reference copy - salmon).

We recommend that Senate Bill No. 199 (reference copy - salmon) be amended as follows:

1. Title, lines 10 through 13.
Following: "DISCRIMINATION;" on line 10
Strike: remainder of line 10 through "DISCRIMINATION;" on line 13

2. Title, line 14.
Following: "~~49-3-304,~~"
Insert: "49-3-106,"

3. Title, line 15.
Strike: "49-3-904,"

4. Page 4, lines 12 and 20.
Following: "sex,"
Insert: "marital status,"

5. Page 5, lines 2 and 4.
Strike: "LESSOR"
Insert: "owner"

6. Page 6, line 22.
Strike: "THE HOUSING ACCOMMODATION HAS"
Insert: "provides"

7. Page 11, line 1.
Following: "AND"
Insert: "other"

8. Page 15, line 15.

Following: second "AND"
Insert: "other"

9. Page 17, line 10.
Following: "~~AND~~"
Insert: "[section 2] and"

10. Page 17, line 11.
Following: "~~SECTION~~"
Insert: "of this section"

11. Page 17, line 13.
Strike: "1 YEAR"
Insert: "180 days"

12. Page 17, line 20.
Strike: "1 YEAR"
Insert: "180 days"

13. Page 17, line 25.
Strike: "485"
Insert: "300"

14. Page 23, line 10 through page 24, line 4.
Strike: section 7 in its entirety
Insert: "Section 7. Section 49-3-106, MCA, is amended to read:

"49-3-106. Rulemaking authority. The commission may adopt rules necessary for the implementation of this chapter, in accordance with the Montana Administrative Procedure Act. The rules may include but are not limited to procedural rules for:

(1) filing of complaints;

(2) conducting investigations of complaints;

(3) petitioning for a declaratory ruling~~, as provided in 49-3-105~~; and

(4) conduct of hearings.""

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Pinsoneault, Chair	Russell, Chair
Mazurek	Measure
B. Brown	J. Rice

Free Conference Committee
on Senate Bill No. 266
Report No. 1, April 24, 1991

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 266, met and considered:

1. House Committee of the Whole Amendment to the third reading copy, dated April 6, 1991, 1:01 p.m., sponsored by O'Keefe.

We recommend that Senate Bill No. 266, reference copy, be amended as follows:

1. Title, line 15.
Following: "85-2-236,"
Insert: "85-2-306"

2. Title, line 16.
Following: "85-2-402"
Strike: "AND"
Following: "~~85-2-501~~"
Insert: "AND 85-2-501"

3. Page 10.
Following: line 3
Insert: "Section 4. Section 85-2-306, MCA, is amended to read:

"85-2-306. Exceptions to permit requirements. (1) Groundwater may be appropriated only by a person who has a possessory interest in the property where the water is to be put to beneficial use and exclusive property rights in the groundwater development works or, if another person has rights in the groundwater development works, the written consent of the person with those property rights. Outside the boundaries of a controlled groundwater area, a permit is not required before appropriating groundwater by means of a well or developed spring with a maximum appropriation of ~~less than 100~~ 35 gallons per minute or less not to exceed 10 acre feet per year, except that a combined appropriation from the same source from two or more wells or developed springs exceeding this limitation requires a permit. Within 60 days of completion of the well or developed spring and appropriation of the groundwater for beneficial use, the appropriator shall file a notice of completion with the department on a form provided by the department at its offices and at the offices of the county clerk and recorders. Upon receipt of the notice, the department shall review the notice and may, before issuing a certificate of water right, return a defective notice for correction or completion, together with the reasons for returning it. A notice does not lose priority of filing because of defects if the notice is corrected, completed, and refiled with the department within 30 days or within a further time as the department may allow, not to exceed 6 months. If a notice is not corrected and completed within the time allowed, the priority date of appropriation shall be the date of refiling a correct and complete notice with the department. A certificate of water right may not be issued until a correct and complete notice has been filed with the department. The original of the certificate shall be sent to the appropriator. The department shall keep a copy of the certificate in its office in Helena. The date of filing of the notice of completion is the date of priority of the right.

(2) An appropriator of groundwater by means of a well or developed spring first put to beneficial use between January 1, 1962, and July 1, 1973, who did not file a notice of completion, as required by laws in force prior to April 14, 1981, with the county clerk and recorder shall file a notice of completion, as provided in subsection (1) of this section, with the department to perfect the water right. The filing of a claim of existing water right pursuant to 85-2-221 is sufficient notice of completion under this subsection. The priority date of the appropriation shall be the date of the filing of a notice as provided in subsection (1) of this section or the date of the filing of the claim of existing water right. An appropriation under this subsection is an existing right, and a permit is not required; however, the department shall acknowledge the receipt of a correct and complete filing of a notice of completion, except that for an appropriation of ~~less than 100~~ 35 gallons per minute or less not to exceed 10 acre feet per year, the department shall issue a certificate of water right. If a certificate is issued under this section, a certificate need not be issued under the adjudication proceedings provided for in 85-2-236.

(3) A permit is not required before constructing an impoundment or pit and appropriating water for use by livestock if the maximum capacity of the impoundment or pit is less than 15 acre-feet and the appropriation is less than 30 acre-feet per year and is from a source other than a perennial flowing stream and the impoundment or pit is to be constructed on and will be accessible to a parcel of land that is owned or under the control of the applicant and that is 40 acres or larger. As used in this subsection, a perennial flowing stream means a stream which historically has flowed continuously at all seasons of the year, during dry as well as wet years. However, within 60 days after constructing the impoundment or pit, the appropriator shall apply for a permit as prescribed by this part. Upon receipt of a correct and complete application for a stockwater provisional permit, the department shall then automatically issue a provisional permit. If the department determines after a hearing that the rights of other appropriators have been or will be adversely affected, it may revoke the permit or require the permittee to modify the impoundment or pit and may then make the permit subject to such terms, conditions, restrictions, or limitations it considers necessary to protect the rights of other appropriators.

(4) A person may also appropriate water without applying for or prior to receiving a permit under rules adopted by the board under 85-2-113."

Renumber: subsequent sections

4. Page 30.
Following: line 6
Insert: "Section 10. Section 85-2-501, MCA, is amended to read:

"85-2-501. Definitions. Unless the context requires otherwise, in this part the following definitions apply:

(1) "Aquifer" means any underground geological structure or formation which is capable of yielding water or is capable of recharge.

(2) "Bureau" means the Montana state bureau of mines and geology provided for in 20-25-211.

(3) "Ground water" means any ~~fresh~~ water that is beneath the ~~land surface or beneath the bed of a stream, lake, reservoir, or other body of surface water and which is not a part of that surface water~~ ground surface.

(4) "Ground water area" means an area which, as nearly as known facts permit, may be designated so as to enclose a single and distinct body of groundwater, which shall be described horizontally by surface description in all cases and which may be limited vertically by describing known geological formations should conditions dictate this to be desirable."

Renumber: subsequent sections

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Koehnke, Chair	O'Keefe, Chair
Stimatz	Barnhart
Grosfield	Knox

Free Conference Committee
on Senate Bill No. 326
Report No. 1, April 24, 1991

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 326, met, considered, and we recommend that Senate Bill No. 326 (reference copy - salmon) be amended as follows:

1. Title, lines 8 and 9.
Following: "CORPORATIONS"
Strike: "THAT DO NOT ALREADY"
Insert: "TO"

2. Page 3, line 7.
Following: line 6
Insert: "(4) Nothing in this section prohibits a regional mental health corporation from voluntarily expanding its board membership to include members-at-large, appointed by the board, from any of the groups described in subsections (3)(a) and (3)(b)."
Renumber: subsequent subsections

3. Page 5, line 10.
Strike: "(5)(D)"
Insert: "(6)(d)"

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:

Eck, Chair
Waterman
Aklestad

Stickney, Chair
Barnhart
R. Johnson

Free Conference Committee
on Senate Joint Resolution No. 21
Report No. 1, April 24, 1991

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Joint Resolution No. 21, met and considered Senate Joint Resolution No. 21 (reference copy - salmon) and we recommend that Senate Joint Resolution No. 21 (reference copy - salmon) be amended as follows:

1. Title, lines 10 and 11.
Following: "CONGRESS TO"
Strike: remainder of line 10 through "CLARK"
Insert: "CONSIDER A HISTORICALLY APPROPRIATE PERMANENT NAME FOR THE"

2. Page 2, line 9.
Following: line 8
Insert: "WHEREAS, the Center will emphasize the critical contributions, essential to the success of the Expedition, of the many Native American tribes and cultures encountered on the Upper Missouri, including the symbolic role of Sacagawea, a Shoshoni Indian woman who accompanied the Corps of Discovery; and"

3. Page 3, lines 11 to 15.
Strike: line 11 through "DISCOVERY" on line 15
Insert: "consider the contributions of Sacagawea and other Native Americans to the success of the Corps of Discovery in selecting a permanent name for the Lewis and Clark National Historic Trail Interpretive Center near Great Falls, Montana"

And that this Free Conference Committee report be adopted.

For the Senate:

Franklin, Chair
Doherty
Thayer

For the House:

Galvin, Chair
R. DeBruycker

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/24/91

HB 1013, introduced by Whalen
HJR 42, introduced by O'Keefe
HJR 50, introduced by Phillips
HJR 53, introduced by Stang

Senate joint resolution passed and transmitted to the House for concurrence: 4/24/91

SJR 33, introduced by Towe

House amendments to Senate bill concurred in: 4/24/91

SB 222, introduced by Van Valkenburg

Conference committee report #1 adopted: 4/24/91

SB 18, introduced by Gage
SB 192, introduced by Farrell
SB 249, introduced by Svrcek
SB 272, introduced by Farrell
SB 301, introduced by Blaylock
SB 327, introduced by Noble
SB 379, introduced by Van Valkenburg
SB 425, introduced by Grosfield
SB 434, introduced by T. Beck
SB 462, introduced by Mazurek

Free conference committee report #1 adopted: 4/24/91

HB 20, introduced by Pavlovich
HB 240, introduced by Raney
HB 452, introduced by Larson
HB 730, introduced by D. Brown
HB 825, introduced by D. Brown
SB 359, introduced by Nathe

Governor's amendments concurred in and returned to the House: 4/24/91

HB 29, introduced by Kimberley
HB 74, introduced by Strizich
HB 233, introduced by Bardanouve
HB 268, introduced by Measure
HB 360, introduced by Harper
HB 580, introduced by Schye
HB 677, introduced by Benedict
HB 832, introduced by Ellison
HB 846, introduced by Menahan

Governor's amendments not concurred in and returned to the House: 4/23/91

HB 152, introduced by Menahan

The Senate, on 4/24/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 580.

President Mazurek appointed the following members:

Senator Blaylock, Chairman
Senator Pinsoneault
Senator Gage

The Senate, on 4/24/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 758.

President Mazurek appointed the following members:

Senator Kennedy, Chairman
Senator Blaylock
Senator Burnett

The Senate, on 4/24/91, acceded to the request of the House and dissolved the conference committee on Senate amendments to HB 5 and appointed a free conference committee to meet with a like committee from the House to confer on HB 5.

President Mazurek appointed the following members:

Senator Jergeson, Chairman
Senator Weeding
Senator Harding

The Senate, on 4/24/91, acceded to the request of the House and dissolved the conference committee on Senate amendments to HB 93 and appointed a free conference committee to meet with a like committee from the House to confer on HB 93.

President Mazurek appointed the following members:

Senator Vaughn, Chairman
Senator Koehnke
Senator Thayer

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate resolution was introduced, read first time, and referred to committee:

SJR 33, introduced by Towe, Van Valkenburg, Halligan, Eck, Lynch, Pipinich, Weeding, Doherty, Yellowtail, Crippen, Gage, Jergeson, Koehnke, Svrcek, Mazurek, Fritz, Franklin, Hockett, Vaughn, Williams, Bengtson, Bruski, Blaylock, Waterman, Rea, Bianchi, Kennedy, Jacobson, Pinsoneault, Grosfield, Stimatz, Harp, Nathe, Thayer, Rye, Burnett, Ream, referred to Committee on Taxation

MOTIONS

Representative Driscoll moved the rules be suspended to allow consideration of HJR 56 on third reading this legislative day. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 131, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 81

Noes: Bergsagel, Clark, Cobb, Daily, R. DeBruycker, Feland, Grinde, H. S. Hanson, Hayne, Kasten, Knox, Pavlovich, Phillips, Simpkins, Spring, Swysgood, Thoft, Thomas, Zook.
Total 19

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 196, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 96

Noes: Bergsagel, Boharski, Stang, Wyatt.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 342, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Thoft, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 64

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, Ellis, Feland, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, Mercer, L. Nelson, T. Nelson, O'Keefe, Peterson, Phillips, J. Rice, Simpkins, Spring, Stang, Steppler, Swysgood, Thomas, Wallin, Zook.
Total 36

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 963, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 16, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Bergsagel, Boharski, Cobb, Peck, Swysgood.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 333, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bergsagel, Cobb, Peck, Southworth.
Total 4

Excused: None.
Total 0

Absent or not voting: Harrington, McCaffree.
Total 2

HJR 56 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 80

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, R. DeBruycker, Ellis, Ellison, Feland, Gilbert, H. S. Hanson, Hayne, Keller, Knox, McCaffree, Peterson, Phillips, Simpkins, Spring, Zook.
Total 20

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Raney in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 226 - Representative Driscoll moved the free conference committee report #1 to SB 226 be adopted. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, J. Brown, Clark, Cobb, J. DeBruycker, Driscoll, Elliott, Ellis, Ellison, Foster, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Hayne, Hoffman, J. Johnson, Kadas, Kimberley, Larson, Madison, McCaffree, Measure, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Ream, J. Rice, Russell, Scott, Southworth, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Mr. Speaker.
Total 53

Noes: Bachini, Barnett, Boharski, D. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, H. S. Hanson, Harrington, R. Johnson, Kasten, Keller, Kilpatrick, Knox, Lee, McCarthy, McCulloch, Menahan, Messmore, Pavlovich, Phillips, Quilici, Raney, S. Rice, Schye, Simpkins, Spring, Squires, Swysgood, Wanzenried, Whalen, Wyatt, Zook.
Total 47

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 472 - Representative Thoft moved SB 472 be concurred in.

Representative Elliott moved to call for cloture. Motion carried.

Thereupon, SB 472 was concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, J. Rice, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Brooke, Cohen, Connelly, Forrester, Galvin, Gervais, S. J. Hansen, Measure, Nisbet, Quilici, S. Rice, Russell, Southworth, Strizich, Whalen.
Total 15

Excused: None.
Total 0

Absent or not voting: Elliott.
Total 1

Representative Driscoll moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Raney moved the adoption of the committee report. Report adopted. (92-8)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/24/91
Examined by the sponsor and found to be correct:

HB 309 - D. Brown
HB 312 - Hoffman
HB 451 - Brooke
HB 568 - J. Rice
HB 672 - Fagg
HB 833 - Lee
HB 864 - Gould

Delivered to the Governor for his approval at 3:35 p.m., 4/24/91: HB 152.

MOTIONS

Representative Thoft moved the rules be suspended to allow consideration of SB 472 on third reading this legislative day. Motion carried.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

SB 472 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, J. Rice, Schye, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: Beck, Brooke, Cohen, Connelly, Forrester, Galvin, Gervais, S. J. Hansen, Measure, Nisbet, Quilici, S. Rice, Russell, Scott, Southworth, Strizich, Whalen.
Total 17

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Representative Kadas moved the House override the Governor's veto of HB 1007. Motion failed.

Representative Menahan moved the House override the Governor's veto of HB 514. Motion failed.

Representative Squires moved the House override the Governor's veto of HB 643. Motion failed.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/24/91
Correctly enrolled: HB 650, HB 719, HB 763, HB 836, HB 913, HB 987, HB 988, HB 989.
Delivered to the Governor for his approval at 4:45 p.m., 4/24/91: HB 24, HB 25, HB 26, HB 46, HB 139, HB 155, HB 196, HB 244, HB 306, HB 471, HB 500, HB 511, HB 528, HB 567, HB 698, HB 701, HB 738, HB 781, HB 787, HB 914, HB 976, HB 1012.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 77
Report No. 1, April 24, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee on House Bill 77, met and considered Senate committee on Finance and Claims amendments, dated April 12, 1991, and recommend that House Bill 77 (reference copy -- salmon) be amended as follows:

1. Title, line 9.
Strike: "STATUTORILY APPROPRIATING A PORTION OF THE"
Insert: "APPROPRIATING GENERAL FUND MONEY AND INCREASING THE ALLOCATION OF"

2. Title, line 13.
Following: "CONTRIBUTIONS;"
Insert: "PROVIDING CONTINGENT STATE RETIREMENT CONTRIBUTION CREDITS;"

3. Page 3, line 16.
Following: "~~and~~"
Insert: "and"

4. Page 3, lines 18 through 20.
Following: "61-5-121"
Strike: ", " on line 18 through "[SECTION 6]" on line 20

5. Page 5, line 1.
Strike: "(1)"

6. Page 5, line 6.
Strike: "(a)"
Insert: "(1)"
Strike: "16.57%"
Insert: "26.10%"

7. Page 5, line 9.
Strike: "(b)"
Insert: "(2)"

8. Page 5, lines 12 through 21.
Strike: lines 12 through 21 in their entirety

9. Page 12.
Following: line 17
Insert: "NEW SECTION. Section 5. General fund appropriation. The department of highways is appropriated $345,000 from the general fund in fiscal 1992 and $233,000 from the general fund in fiscal 1993 to pay a portion of the state retirement contribution for the Montana highway patrol.

NEW SECTION. Section 6. Coordination instruction. If Senate Bill No. 192 is passed and approved, the amount allocated to the Montana highway patrol officers' retirement system in Senate Bill No. 192 must be used as a credit against the state retirement contribution as provided in 19-6-404(1)."
Renumber: subsequent section

And that this Free Conference Committee report be adopted.

For the House:

Quilici, Chair
Southworth
Clark

For the Senate:

Lynch, Chair
Hockett

Free Conference Committee
on House Bill 93
Report No. 1, April 23, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee, met and considered House Bill 93 and recommend that House Bill 93 (reference copy -- salmon) be amended as follows:

1. Page 5, line 16.
Following: "~~$1~~"
Strike: "$1.25"
Insert: "$1"

2. Page 5, line 17.
Following: "AND"
Strike: "$1.50"
Insert: "$2"

3. Page 5, line 18.
Following: "~~THEREAFTER~~"
Insert: "and each year thereafter"

4. Page 15, line 4.
Strike: "$ 923,626"
Insert: "$1,239,048"

5. Page 15, line 5.
Strike: "2,341,223"
Insert: "3,140,761"

6. Page 15, line 6.
Strike: "$3,264,849"
Insert: "$4,379,809"

7. Page 15, line 10.
Strike: "$ 1,465,300"
Insert: "$1,253,979"

8. Page 15, line 11.
Strike: "3,749,294"
Insert: "3,208,580"

9. Page 15, line 12.
Strike: "$5,214,594"
Insert: "$4,462,559"

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
Bradley, Chair	Vaughn, Chair
Squires	Koehnke
Thomas	Thayer

Free Conference Committee
on House Bill 580
Report No. 1, April 24, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee, met and considered House Bill 580 and recommend that House Bill 580 (reference copy -- second printing -- salmon) be amended as follows:

1. Title, line 8.
Following: "VALUE"
Insert: ", INCLUDING A MULTIPLIER FOR NONTAX REVENUE,"

2. Title, line 16.
Following: "SECTIONS"
Insert: "15-23-607, 15-23-703,"
Following: "20-9-366"
Insert: ","

3. Page 2, lines 2 through 8.

Following: "county" on line 2
Strike: remainder of line 2 through "funds," on line 8

4. Page 2, lines 13 through 25.
Following: "amounts." on line 13
Strike: remainder of line 13 through line 25

5. Page 3, lines 3 through 9.
Following: "district" on line 3
Strike: remainder of line 3 through "funds," on line 9

6. Page 3, lines 12 through 23.
Following: "amount." on line 12
Strike: remainder of line 12 through line 23

7. Page 4, line 6.
Strike: "COUNTY"

8. Page 4, line 7.
Strike: "COUNTY"

9. Page 4, lines 9 through 15.
Following: "STATE" on line 9
Strike: remainder of line 9 through "FUNDS" on line 15
Following: ","
Insert: "multiplied by 121% and"

10. Page 4, line 20 through page 6, line 7.
Following: "AMOUNTS." on page 4, line 20
Strike: remainder of page 4 through page 6, line 7

11. Page 8, line 3.
Following: line 2
Insert: "Section 4. Section 15-23-607, MCA, is amended to read:

"15-23-607. County assessors to compute taxes. (1) Immediately after the board of county commissioners has fixed tax levies on the second Monday in August, the county assessor shall, subject to the provisions of 15-23-612, compute the taxes on net proceeds, as provided in subsection (2) of this section, and royalty assessments and shall deliver the book to the county treasurer on or before September 15. The county treasurer shall proceed to give full notice of the assessments to the operator and shall collect the taxes as provided by law.

(2) For interim production or new production, as defined in 15-23-601, the county assessor may not levy or assess any mills against the value of the interim production or new production, but shall instead levy a tax as follows:

(a) for interim production or new production of petroleum or other mineral or crude oil, 7% of net proceeds, as described in 15-23-603(2); or

(b) for interim production or new production of natural gas, 12% of net proceeds, as described in 15-23-603(2).

(3) The amount of tax levied in subsections (2)(a) and (2)(b), divided by the appropriate tax rate and multiplied by 60%, must be treated as taxable value for county bonding purposes.

(4) ~~The taxable value of net proceeds for the purpose of computing guaranteed tax base aid for schools is the amount of tax received by a district in the previous year divided by the number of mills levied by the district in the previous year, multiplied by 1,000. This amount must be added to the district, county, and statewide taxable value when computing guaranteed tax base aid under 20-9-368.~~

~~(5)~~ The operator or producer is liable for the payment of the taxes that, except as provided in 15-16-121, are payable by and must be collected from the operators in the same manner and under the same penalties as provided for the collection of taxes upon net proceeds of mines. However, the operator may at his option withhold from the proceeds of royalty interest, either in kind or in money, an estimated amount of the tax to be paid by him upon the royalty or royalty interest. After the withholding, any deviation between the estimated tax and the actual tax may be accounted for by adjusting subsequent withholdings from the proceeds of royalty interests."

Section 5. Section 15-23-703, MCA, is amended to read:

"15-23-703. Taxation of gross proceeds -- taxable value for bonding and guaranteed tax base aid to schools. (1) The county assessor shall compute from the reported gross proceeds from coal a tax roll that he shall transmit to the county treasurer on or before September 15 each year. The county assessor may not levy or assess any mills against the reported gross proceeds of coal but shall levy a tax of 5% against the value of the reported gross proceeds as provided in 15-23-701(1)(d). The county treasurer shall proceed to give full notice to each coal producer of the taxes due and to collect the taxes as provided in 15-16-101.

(2) For bonding, county classification, and all nontax purposes, the taxable value of the gross proceeds of coal is 45% of the contract sales price as defined in 15-35-102(5).

(3) ~~The taxable value of gross proceeds for the purpose of computing guaranteed tax base aid for schools is the amount of tax received by a district in the previous year divided by the number of mills levied by the district in the previous year, multiplied by 1,000. This amount must be added to the district, county, and statewide taxable value when computing guaranteed tax base aid under 20-9-368.~~

~~(4)~~ The county treasurer shall credit all taxes collected under this part:

(a) to the state and to the counties that levied mills against production in the relative proportions required by the levies for state and county purposes in the same manner as property taxes were distributed in the year 1989 in the taxing jurisdiction; and

(b) to school districts in the county that either levied mills against production or used nontax revenue, such as Public Law 81-874 money, in lieu of levying mills against production, in the

same manner that property taxes collected or property taxes that would have been collected would have been distributed in 1989 in the school district.""
Renumber: subsequent sections

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
Schye, Chair	Blaylock, Chair
Stang	Pinsoneault
Foster	Gage

Free Conference Committee
on House Bill 589
Report No. 1, April 24, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee, met and considered House Bill 589 and recommend that House Bill 589 (reference copy -- salmon) be amended as follows:

1. Title, line 9.
Strike: "ALL"
Insert: "NONTEACHING AND ADMINISTRATIVE SCHOOL"

2. Title, line 10.
Following: "DATE"
Insert: "AND A TERMINATION DATE"

3. Page 1, line 19.
Following: "~~nonteaching~~"
Insert: "nonteaching or administrative"

4. Page 1, line 21.
Following: "~~2-18-618~~"
Insert: "in accordance with the provisions of 2-18-618"

5. Page 1, line 23.
Following: line 22
Insert: "nonteaching or administrative"

6. Page 2, line 11.
Following: "~~nonteaching~~"
Insert: "nonteaching and administrative"

7. Page 2, line 14.
Following: "leave of"
Insert: "nonteaching and administrative"

8. Page 2, line 16.
Following: subsection (4) on line 15

Insert: "(5) For the purposes of this section, "administrative school district employee" means a school district employee who is employed in an administrative position and who accrues vacation leave as part of the employee's contract with the school district."

9. Page 2, line 18.
Following: line 17
Insert: "NEW SECTION. Section 3. Termination. [This act] terminates July 1, 1995."

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
Peck, Chair	Waterman, Chair
Kimberley	Fritz
Zook	Hammond

Free Conference Committee
on House Bill 973
Report No. 2, April 24, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee, met and considered House Bill 973 and recommend as follows:

1. Title, lines 5 and 6.
Strike: "CREATING A SMALL PETROLEUM TANK RELEASE CLEANUP FUND"

2. Title, lines 8 through 12.
Strike: "ESTABLISHING" on line 8 through "APPROPRIATION;" on line 12

3. Title, lines 13 and 14.
Strike: "17-7-502, 60-3-216," on line 13
Strike: "75-11-309, 75-11-313," on line 14
Insert: "AND"
Following: "75-11-318,"
Strike: "AND"

4. Title, line 15.
Strike: "75-11-319,"
Following: "PROVIDING"
Insert: "AN IMMEDIATE"
Strike: "DATES"
Insert: "DATE"

5. Page 2, line 1.
Strike: "small"

6. Page 2, line 4.
Strike: "small"

7. Page 2, line 6.
Strike: "small"

8. Page 2, line 14.
Strike: "small"

9. Page 2, line 22.
Strike: "small"

10. Page 3, line 1.
Strike: "small"

11. Page 3, line 20.
Following: "a"
Insert: "a"
Strike: "fees"
Insert: "fee"

12. Page 3, line 23.
Strike: "these"
Insert: "this"
Strike: "fees"
Insert: "fee"
Strike: "and"

13. Page 3, lines 24 and 25.
Strike: "[section 8]" on line 24 through "[SECTION 8(4)]" on line 25
Following: "," on line 25
Insert: "is"

14. Page 4, line 2.
Strike: "gasoline and special"

15. Page 4, line 3.
Strike: "fuels"
Strike: "fees are"
Insert: "fee is"

16. Page 4, line 4.
Strike: "are"
Insert: "is"

17. Page 4, line 7.
Strike: "fees are"
Insert: "fee is"

18. Page 5, lines 9 through 12.
Strike: subsection (2) in its entirety
Renumber: subsequent subsections

19. Page 6, lines 5 through 19.
Following: "~~15-70-201~~"
Insert: "a distributor as defined in 15-70-201"

Strike: "a person" on line 5 through "oil" on line 19

20. Page 6, line 22 through page 7, line 5.
Strike: subsections (10) and (11) in their entirety
Renumber: subsequent subsections

21. Page 7, line 6.
Strike: "Fees"
Insert: "Fee"

22. Page 7, lines 7 through 9.
Strike: "and the small petroleum storage tank cleanup fee provided for in [section 8]"

23. Page 7.
Following: line 11
Insert: "(10) "Fund" means the petroleum tank release cleanup fund established in 75-11-313."
Renumber: subsequent subsections

24. Page 7, lines 16 through 21.
Strike: subsection (14) in its entirety
Renumber: subsequent subsections

25. Page 8, line 24.
Strike: "[19)(b)]"
Insert: "(16)(b)"
Strike: "[19)(c)]"
Insert: "(16)(c)"

26. Page 9, line 7.
Strike: "[19)(d)(i)]"
Insert: "(16)(d)(i)"

27. Page 9, line 8.
Strike: "[19)(d)(ii)]"
Insert: "(16)(d)(ii)"

28. Page 9, lines 17 through 21.
Strike: subsection (22) in its entirety

29. Page 9, line 25.
Strike: "applicable"

30. Page 10, line 3.
Strike: "applicable"

31. Page 10, line 10.
Strike: "applicable"

32. Page 11, line 7.
Strike: "small"

33. Page 11, line 8.
Following: "fund"
Insert: "for a tank storing heating oil for consumptive use on the premises where it is stored or a farm or residential tank with a capacity of 1,100 gallons or less that is used for storing motor fuel for noncommercial purposes"

34. Page 11, line 20.
Following: "$982,500"
Insert: ", for a tank storing heating oil for consumptive use on the premises where it is stored or a farm or residential tank with a capacity of 1,100 gallons or less that is used for storing motor fuel for noncommercial purposes"

35. Page 11, line 22.
Strike: "small"

36. Page 12, line 2.
Following: "$495,000"
Insert: ", for a tank storing heating oil for consumptive use on the premises where it is stored or a farm or residential tank with a capacity of 1,100 gallons or less that is used for storing motor fuel for noncommercial purposes"

37. Page 12, line 3.
Strike: "applicable"

38. Page 12, line 7.
Strike: "applicable"

39. Page 13, line 5.
Strike: "(A)"

40. Page 13, lines 7 and 8.
Strike: "OR THE SMALL PETROLEUM TANK RELEASE CLEANUP FUND"

41. Page 14, lines 5 through 17.
Strike: subsections (b) and (c) in their entirety

42. Page 14, line 18 through page 24, line 14.
Strike: sections 5 through 8 in their entirety
Renumber: subsequent sections

43. Page 24, lines 17 and 18.
Strike: "and the small petroleum tank release cleanup fund"

44. Page 24, line 20.
Strike: "reimbursements"
Insert: "reimbursement"

45. Page 24, line 23.
Strike: "applicable"

46. Page 25, lines 7 and 8.
Strike: "applicable" on line 7
Strike: "established by 75-11-313 or [section 7]"

47. Page 25, lines 11 and 12.
Strike: "Pursuant to the provisions of 75-11-313(3)(a) and [section 7(3)(a)], the"
Insert: "The"

48. Page 25, line 13.
Strike: "applicable"

49. Page 25, line 17.
Strike: "REVENUE"
Insert: "transportation"

50. Page 25, lines 19 and 20.
Strike: "AND" on line 19 through "FEE" on line 20

51. Page 26, line 10 through page 29 line 18.
Strike: sections 10 through 14 in their entirety
Renumber: subsequent sections

52. Page 29, line 25.
Strike: "dates"
Insert: "date"
Strike: "(1)"

53. Page 30, line 1.
Strike: line 1 in its entirety
Insert: "[This act] is"

54. Page 30, lines 3 and 4.
Strike: subsection (2) in its entirety

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
Stang, Chair	Kennedy, Chair
L. Nelson	Bruski
Tunby	Tveit

Conference Committee
on Senate Bill No. 441
Report No. 1, April 24, 1991

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill No. 441, met and considered the House Judiciary Standing Committee Report dated March 14, 1991, and we recommend that Senate Bill No. 441 (reference copy - salmon) be amended as follows:

1. Title, line 6.
Following: "~~TERMS;~~"
Insert: "LIMITING MEMBERS TO TWO TERMS;"

2. Title, line 10.
Following: "AN"
Insert: "EFFECTIVE DATE AND AN"

3. Page 2, line 23.
Following: "~~to~~"
Insert: "(1)"

4. Page 3, line 7.
Following: "~~terms.~~"
Insert: "(2) A member may not serve more than two full 4-year terms."

5. Page 6.
Following: line 1
Insert: "NEW SECTION. Section 6. Coordination instruction. If House Bill No. 934 is passed and approved, then the phrase "18 through 20" in the amendment inserted by [section 1 of this act] is changed to "18 through 21"."
Renumber: subsequent section

6. Page 6.
Following: line 4
Insert: "NEW SECTION. Section 8. Effective date. [Section 6] is effective January 1, 1993."

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Yellowtail, Chair	Cromley, Chair
Mazurek	Toole
B. Brown	Mercer

Free Conference Committee
on Senate Bill No. 51
Report No. 1, April 24, 1991

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 51, met April 23, 1991, and considered:

House Judiciary Committee Amendments to the third reading copy, dated March 26, 1991.

We recommend that Senate Bill No. 51, reference copy, be amended as follows:

1. Page 120, line 13.

Strike: "examination pursuant to 46-15-327"
Insert: "the defendant's mental condition from a psychiatrist or psychologist"

2. Page 121, line 1.
Following: "~~comparisons~~"
Insert: ", together with all written reports or statements made by them concerning the results of physical examinations, scientific tests, experiments, or comparisons, except that the defendant need not include a privileged report or statement unless he intends to use the privileged report or statement, or the witness who made it, at trial"

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Van Valkenburg, Chair	Whalen, Chair
Pinsoneault	R. Johnson
Crippen	

Free Conference Committee
on Senate Bill No. 58
Report No. 1, April 24, 1991

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 58, met, considered, and we recommend that Senate Bill No. 58 (reference copy - salmon) be amended as follows:

1. Page 2, line 7.
Following: "(4)"
Insert: "(a)"

2. Page 2, line 13.
Following: "except"
Strike: "that if"
Insert: "as provided in subsection (4)(b).
(b) If"

3. Page 2, line 18 through 20.
Following: "county." on line 18
Strike: remainder of line 18 through "INSTITUTIONS." on line 20
Insert: "If the department of institutions is the arresting agency and the inmate is a probation violator, the expense must be paid by the county in which the district court that retains jurisdiction over the inmate is located.
(c)"

4. Page 3, line 12.
Following: "(2)"
Insert: "(a)"

5. Page 3, lines 18 through 20.
Following: "~~CENTER~~" on line 18
Strike: remainder of line 18 through "COSTS." on line 20

6. Page 3, line 21.
Following: "agency"
Insert: "at a rate that is agreed upon by the arresting agency and the detention center and that covers the reasonable costs of confinement, excluding capital construction costs"

7. Page 3, line 22.
Following: "except"
Strike: "that if"
Insert: "as provided in subsection (2)(b).
(b) If"

8. Page 4, lines 2 and 3.
Following: "county." on line 2
Strike: remainder of line 2 through "INSTITUTIONS." on line 3
Insert: "If the department of institutions is the arresting agency and the inmate is a probation violator, the costs must be paid by the county in which the district court that retains jurisdiction over the inmate is located.
(c)"

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Yellowtail, Chair	Strizich, Chair
Halligan	Russell
Harp	Messmore

MESSAGES FROM THE SENATE

The Senate, on 4/24/91, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 580.

President Mazurek appointed the following members:

Senator Blaylock, Chairman
Senator Pinsoneault
Senator Gage

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 24, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 4, 299, 414, 467, 477, 558, 579, 607, 693, 706, 731, 760, 778, 793, 883, 904, 949, 978, 1008, and 1010 on April 24, 1991.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper
Speaker
House of Representatives
State Capitol
Helena, Montana 59620

April 24, 1991

The Honorable Joseph P. Mazurek
President
Montana State Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 354, "AN ACT ALLOWING COUNTY COMMISSIONERS TO LEVY ~~1 MILL~~ UP TO 2 MILLS FOR FIRE CONTROL ACTIVITIES; AMENDING SECTION 7-33-2209, MCA; AND PROVIDING AN EFFECTIVE DATE."

House Bill 354 amends section 7-33-2209, MCA, which now authorizes county governing bodies to levy a tax which will generate up to $15,000 for the purpose of rural fire control. House Bill 354 would allow the county commissioners to assess a levy of up to $15,000 or the amount of revenue generated by two mills, whichever is greater.

Because the amount of the tax which could be generated by this two-mill maximum is unspecified and would vary widely from county to county, I believe that the public should have the opportunity to decide whether the level of fire protection proposed is desirable and appropriate in view of other county needs. Accordingly, my proposed amendment would require a public vote before the county could assess an amount for the purpose of rural fire protection in excess of the existing $15,000 ceiling.

In addition, my amendment would exclude from the limitations of Title 15, chapter 10, part 4 (commonly referred to as Initiative 105, as amended) a rural fire protection mill levy which has been specifically approved by the voters.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 354
(REFERENCE COPY, AS AMENDED)
April 24, 1991

1. Page 1, line 20.
Following: "~~exceed~~"
Strike: "of"
Following: "~~1 mill~~"
Strike: "UP TO 2 MILLS or a rate that will"

2. Page 1, line 21.
Following: line 20
Strike: "raise"
Insert: "at the rate the governing body determines to be necessary to raise the needed amount, not to exceed"
Following: "$15,000"
Strike: ", whichever is higher"

3. Page 1, line 21.
Following: line 21
Insert: "(3) As an alternative or in addition to imposing the levy authorized in subsection (2) the county governing body may, upon an affirmative vote of a majority of the qualified voters of the county who reside outside of the boundaries of an incorporated city or town, levy a tax for the purposes authorized by this section. The total levy imposed under this section may not exceed 2 mills.

(4) A levy approved by the voters under subsection (3) is not subject to the provisions of Title 15 , chapter 10, part 4."

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 24, 1991

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 746, "AN ACT REQUIRING THE STATE TO ERECT A MONUMENT AND FLAG CIRCLE AT THE CAPITOL COMPLEX TO HONOR AMERICAN INDIANS; ESTABLISHING AN ADVISORY COMMITTEE TO COORDINATE THE PROJECT; APPROPRIATING FUNDS FOR THE ADVISORY COMMITTEE; AND PROVIDING AN EFFECTIVE DATE."

House Bill 746 represents an important step in recognizing the contributions of Montana's Native Americans to our state and her history.

I am, however, concerned about one particular element of the bill. I, therefore, propose for your consideration an amendment that will conform the legislation to the Montana Constitution.

My amendment addresses the power of the executive to appoint members to the advisory council created in House Bill 746. Article VI, Section 8 of the Montana Constitution states in part: The governor shall appoint, subject to confirmation by the Senate, all officers provided for in this constitution or by law whose appointment or election is not otherwise provided for.

All appointments to boards and commissions within the executive branch have been appointed by the executive. The legislature has exercised its right to define the qualification and, in some instances, the parameters of the membership of the advisory council. That is proper. The executive in turn should make the appointments. This authority has consistently been recognized in section 2-15-201, MCA, and approximately 125 legislatively created boards, commissions, councils, etc. However, the appointive process in House Bill 746 is inconsistent with the constitution and this statute.

My amendment would respect the direction of the legislature regarding the composition of the advisory council. However, the amendments would clarify that the governor makes the appointments as executive under our constitution.

I urge your concurrence in my amendment.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 746
(REFERENCE COPY, AS AMENDED)
April 24, 1991

1. Page 2, lines 2-3.
Following: "~~council~~"
Strike: "STATE COORDINATOR OF INDIAN AFFAIRS"
Insert: "governor"

The Honorable Hal Harper April 24, 1991
Speaker of the House
House of Representatives
Capitol Station
Helena, Montana 59620

The Honorable Joseph P. Mazurek
President
Montana State Senate
Capitol Station

Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto the adoption of House Bill 940, "AN ACT TO PROVIDE FOR A RELIABLE CASH FLOW TO SCHOOL DISTRICTS BY ALLOWING STATE ADVANCES FOR REVENUE TO BE RAISED BY COUNTY EQUALIZATION LEVIES; AMENDING SECTIONS 20-9-212, 20-9-331, 20-9-333, 20-9-334, 20-9-335, 20-9-344, 20-9-346, AND 20-9-347, MCA; AND PROVIDING AN EFFECTIVE DATE."

House Bill 940 appears to facilitate school district cash flow. It is bad business practice for schools and for the state of Montana. I have been advised by the Office of Budget and Program Planning and numerous legislators, that the arbitrage plan would, indeed, have a cost. Using money earmarked for the education of our children to fund an ill-conceived investment plan is not a sound business practice nor good public policy.

School district cash flows have historically been protected by cash reserve accounts. Recent changes to accelerate state payments have increased that protection. With these changes and reasonable planning, school district officials have the mechanisms to avoid the problem this bill purports to solve.

I cannot risk the financial integrity of our school financing system to resolve an issue that has not been demonstrated to be a significant public policy issue.

I therefore veto House Bill 940.

Sincerely,

STAN STEPHENS
Governor

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Raney in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 7 - Representative Connelly moved the conference committee report #1 to HB 7 be adopted. Motion carried as follows:

Ayes: Bachini, Barnett, Becker, Benedict, Boharski, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cromley, Daily, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M.

Hanson, Harrington, Hayne, Hoffman, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, J. Rice, Schye, Scott, Simpkins, Spring, Squires, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Zook.
Total 71

Noes: Bardanouve, Barnhart, Beck, Bergsagel, Bradley, Brooke, Cohen, Connelly, Darko, Dowell, Elliott, Gilbert, J. Johnson, Kadas, Kasten, Madison, McCaffree, McCulloch, Measure, Peck, Ream, S. Rice, Russell, Southworth, Stang, Strizich, Wyatt, Mr. Speaker.
Total 28

Excused: None.
Total 0

Absent or not voting: Wanzenried.
Total 1

HB 494 - Representative Darko moved the free conference committee report #1 to HB 494 be adopted. Motion carried as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Bradley, D. Brown, Clark, Cocchiarella, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wyatt, Zook.
Total 73

Noes: Bachini, Bardanouve, Bergsagel, Boharski, Brooke, J. Brown, Cobb, Cody, Cohen, J. DeBruycker, R. DeBruycker, Dowell, Feland, Gilbert, M. Hanson, Kasten, McCulloch, Measure, O'Keefe, Peck, Raney, Scott, Southworth, Steppler, Wanzenried, Whalen, Mr. Speaker.
Total 27

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 752 - Representative Toole moved the free conference committee report #1 to HB 752 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M.

Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Becker, Bergsagel, Boharski, Cobb, Ellison, Lee, Peck.
Total 7

Excused: None.
Total 0

Absent or not voting: S. Rice.
Total 1

HB 801 - Representative McCarthy moved the free conference committee report #1 to HB 801 be adopted. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 74

Noes: Barnett, Bergsagel, Cobb, Cromley, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grinde, M. Hanson, Hayne, Kasten, Knox, T. Nelson, Spring, Swysgood, Thoft, Wallin.
Total 21

Excused: None.
Total 0

Absent or not voting: Bardanouve, Boharski, Clark, Harrington, Peterson.
Total 5

SB 189 - Representative Cohen moved the free conference committee report #1 to SB 189 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox,

Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Beck, Bergsagel, Boharski, Clark, R. DeBruycker, Grinde, Hoffman, Kasten, McCaffree, Peterson, Scott, Spring, Swysgood, Thoft.
Total 14

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 199 - Representative Russell moved the free conference committee report #1 to SB 199 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 85

Noes: Barnett, Bergsagel, Boharski, Clark, R. DeBruycker, Ellison, Feland, Hoffman, Peterson, Phillips, Spring, Swysgood, Thoft, Wallin, Zook.
Total 15

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 370 - Representative Ream moved the free conference committee report #1 to SB 370 be adopted. Motion failed as follows:

Ayes: Bardanouve, D. Brown, Clark, Cromley, Darko, Driscoll, Ellis, Fagg, Gervais, Grady, Harrington, Hoffman, R. Johnson, Kimberley, McCaffree, Measure, Messmore, Nisbet, O'Keefe, Ream, S. Rice, Russell, Schye, Stickney.
Total 24

Noes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellison, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grinde, S. J. Hansen, M. Hanson, Hayne, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, L. Nelson, T. Nelson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 74

Excused: None.
Total 0

Absent or not voting: H. S. Hanson, Strizich.
Total 2

SB 428 - Representative Cody moved the free conference committee report #1 to SB 428 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 80

Noes: Barnhart, Benedict, Bergsagel, Boharski, Davis, R. DeBruycker, Ellison, Gilbert, Grinde, Knox, McCaffree, O'Keefe, Peck, Phillips, Stang, Steppler, Swysgood, Thoft, Wallin.
Total 19

Excused: None.
Total 0

Absent or not voting: Harrington.
Total 1

HB 804 - Representative Menahan moved Governor's amendments to HB 804 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M.

Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 93

Noes: Benedict, Bergsagel, R. DeBruycker, Spring, Whalen, Wyatt.
Total 6

Excused: None.
Total 0

Absent or not voting: Feland.
Total 1

HB 857 - Representative O'Keefe moved consideration of Governor's amendments to HB 857 be passed for the day. Motion carried.

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Raney moved the adoption of the committee report. Report adopted. (83-16)

MOTIONS

Representative Driscoll moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Governor's amendments to HB 846. Motion carried.

Representative Beck moved the rules be suspended to allow him to be recorded as voting yes on the motion to override the Governor's veto of HB 643. Motion carried.

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the conference committee on Governor's amendments to HB 846:

Representative Menahan, Chairman
Representative Squires
Representative Hoffman

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 9:00 a.m., Thursday, April 25, 1991. Motion carried.

House adjourned at 7:25 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

EIGHTY-NINTH LEGISLATIVE DAY

Helena, Montana
April 25, 1991

House Chambers
State Capitol

House convened at 9:10 a.m. Mr. Speaker Pro Tempore in the Chair. Invocation by Representative Peterson. Pledge of Allegiance to the Flag.

Roll call. All members present except Russell, excused. Quorum present.

Mr. Speaker Pro Tempore: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the eighty-fourth and eighty-fifth legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/25/91
Examined by the sponsor and found to be correct:
HB 650 - Squires
HB 719 - D. Brown
HB 763 - Stang
HB 836 - Driscoll
HB 913 - J. Johnson
HB 987 - Cromley
HB 988 - Cromley
HB 989 - Cromley
Signed by the Speaker at 8:00 a.m., 4/25/91: SB 57, SB 77, SB 111, SB 191, SB 229, SB 232, SB 251, SB 256, SB 348, SB 437.
Delivered to the Secretary of State at 8:40 a.m., 4/25/91: HJR 32.

REPORTS OF SELECT COMMITTEES

Conference Committee
on House Bill 995
Report No. 1, April 23, 1991

Mr. Speaker and Mr. President:

We, your Conference Committee on House Bill 995, met and considered the Sen. Harp Committee of the Whole amendment, dated April 17, 1991, and recommend that House Bill 995 (reference copy -- salmon) be amended as follows:

1. Title, line 8.
Following: "~~SETTLEMENTS;~~"
Insert: "ALLOWING MUTUALLY AGREEABLE LUMP-SUM SETTLEMENTS;"

2. Page 5, line 12.
Following: line 11
Insert: "NEW SECTION. Section 3. Mutually agreeable lump-sum settlements. During the period beginning October 1, 1991, and ending September 30, 1992, a workers' compensation claimant and the state fund may, regardless of the lump-sum law in effect on the date of the injury, mutually agree to a lump-sum settlement of a

claim. If a mutual agreement is not reached, the lump-sum law in effect on the date of the injury applies."
Renumber: subsequent sections

3. Page 13, lines 10 and 13.
Strike: "AND 2"
Insert: "through 3"

And that this Conference Committee report be adopted.

For the House:	For the Senate:
Driscoll, Chair	Svrcek, Chair
Harper	Mazurek
Thomas	Harp

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Gilbert in the Chair.

Mr. Speaker Pro Tempore: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 758 - Representative Barnhart moved the conference committee report #1 to HB 758 be adopted. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 68

Noes: Bachini, Barnett, Bergsagel, Boharski, Clark, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Feland, M. Hanson, Hayne, Kasten, Keller, Knox, Lee, McCaffree, T. Nelson, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Wallin.
Total 25

Excused: Darko, Foster, Grinde, Kadas, J. Rice, S. Rice, Russell.
Total 7

Absent or not voting: None.
Total 0

SB 441 - Representative Cromley moved the conference committee report #1 to SB 441 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Foster, Grinde, Kadas, J. Rice, S. Rice, Russell.
Total 6

Absent or not voting: None.
Total 0

HB 77 - Representative Quilici moved the free conference committee report #1 to HB 77 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, J. Johnson, R. Johnson, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 69

Noes: Boharski, Brooke, Cohen, Cromley, R. DeBruycker, Ellis, Ellison, Feland, Gilbert, Hayne, Kasten, Keller, Lee, Measure, Mercer, L. Nelson, Peck, Peterson, Phillips, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas.
Total 25

Excused: Foster, Grinde, Kadas, J. Rice, S. Rice.
Total 5

Absent or not voting: Hoffman.
Total 1

HB 93 - Representative Bradley moved the free conference committee report #1 to HB 93 be adopted. Motion failed as follows:

Ayes: Barnett, Becker, Benedict, Bergsagel, Boharski, D. Brown, J. Brown, Clark, Cobb, Connelly, Cromley, R. DeBruycker, Ellis, Ellison, Fagg, Forrester, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Knox, Larson, Mercer, T. Nelson, Peterson, Phillips, J. Rice, S. Rice, Russell, Schye, Simpkins, Spring, Stickney, Swysgood, Thomas, Toole, Tunby, Wallin, Zook.
Total 49

Noes: Bachini, Bardanouve, Barnhart, Beck, Bradley, Brooke, Cocchiarella, Cody, Cohen, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Feland, Galvin, Gervais, S. J. Hansen, Kilpatrick, Kimberley, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Scott, Southworth, Squires, Stang, Steppler, Thoft, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 49

Excused: None.
Total 0

Absent or not voting: R. Johnson, Strizich.
Total 2

HB 580 - Representative Schye moved the free conference committee report #1 to HB 580 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Boharski, Lee.
Total 2

HB 589 - Representative Peck moved the free conference committee report #1 to HB 589 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: R. DeBruycker.
Total 1

Excused: None.
Total 0

Absent or not voting: Boharski, D. Brown, Driscoll, Ellison, Lee.
Total 5

Representative Grinde in the Chair at this time.

HB 973 - Representative Stang moved the free conference committee report #2 to HB 973 be adopted.

Representative Raney made a substitute motion the free conference committee report #2 to HB 973 be not adopted. Motion failed as follows:

Ayes: Bachini, Bardanouve, Beck, Becker, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Elliott, Forrester, Galvin, S. J. Hansen, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCulloch, Measure, Nisbet, O'Keefe, Raney, Ream, J. Rice, Russell, Schye, Scott, Southworth, Squires, Toole, Wanzenried, Wyatt, Mr. Speaker.
Total 42

Noes: Barnett, Barnhart, Benedict, Bergsagel, D. Brown, Clark, Cobb, J. DeBruycker, R. DeBruycker, Driscoll, Ellis, Ellison, Fagg, Feland, Foster, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, McCaffree, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Pavlovich, Peck, Peterson, Phillips, S. Rice, Simpkins, Spring, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Whalen, Zook.
Total 54

Excused: None.
Total 0

Absent or not voting: Boharski, Bradley, J. Johnson, Quilici.
Total 4

Thereupon, the free conference report #2 to HB 973 was adopted.

Representative Driscoll moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker Pro Tempore in the Chair. Chairman Grinde moved the adoption of the committee report. Report adopted. (74-24)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/25/91
Signed by the Speaker at 10:00 a.m., 4/25/91: HB 309, HB 451, HB 568, HB 650, HB 672, HB 719, HB 763, HB 833, HB 836, HB 864, HB 913, HB 987, HB 988, HB 989.

MESSAGES FROM THE SENATE

Conference committee report #1 adopted: 4/24/91

HB 131, introduced by Brooke
SB 196, introduced by T. Beck

Free conference committee report #1 adopted: 4/24/91

HB 342, introduced by Wanzenried
HB 494, introduced by O'Keefe
HB 752, introduced by Toole
SB 16, introduced by Gage
SB 189, introduced by T. Beck
SB 199, introduced by B. Brown
SB 226, introduced by Harp
SB 333, introduced by Gage
SB 370, introduced by Waterman
SB 428, introduced by Nathe

HB 7 - Conference committee report #1 adopted by an affirmative role call vote of two-thirds of all members of the legislature, on April 24, 1991, on third reading by the Senate.

YEAS - 49
NAYS - 0

HB 963 - Free conference committee report #1 adopted by an affirmative role call vote of two-thirds of all members of the legislature, on April 24, 1991, on third reading by the Senate.

YEAS - 49
NAYS - 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 52 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: D. Brown, Clark, Cohen, Davis, M. Hanson, McCaffree, Measure, Quilici, Spring.
Total 9

Excused: None.
Total 0

Absent or not voting: Cobb.
Total 1

HB 7, conference committee report #1, adopted as follows:

Ayes: Bachini, Barnett, Beck, Becker, Benedict, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Raney, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: Bardanouve, Barnhart, Bergsagel, Brooke, Cohen, Elliott, Forrester, S. J. Hansen, Kadas, Kasten, Measure, T. Nelson, Peck, Quilici, Ream, S. Rice, Stang, Strizich.
Total 18

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 494, free conference committee report #1, adopted as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, Raney, Ream, S. Rice, Russell, Schye, Simpkins, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 69

Noes: Bachini, Barnett, Bergsagel, Boharski, Cobb, Cody, Cohen, J. DeBruycker, R. DeBruycker, Elliott, Feland, Gilbert, H. S. Hanson, M. Hanson, Kasten, Measure, L. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, J. Rice, Scott, Southworth, Spring, Squires, Stang, Steppler, Whalen.
Total 31

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 752, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Becker, Bergsagel, Boharski, Cobb, Gilbert, Lee, Peck.
Total 7

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 801, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 75

Noes: Bergsagel, Boharski, Cobb, Cromley, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Kasten, Knox, Messmore, T. Nelson, Peterson, Simpkins, Spring, Swysgood, Thoft, Wallin.
Total 25

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 189, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Keller, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Bergsagel, Boharski, R. DeBruycker, Feland, Hoffman, Kasten, McCaffree, Peck, Peterson, Swysgood, Thoft.
Total 11

Excused: None.
Total 0

Absent or not voting: Kilpatrick.
Total 1

SB 199, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Barnett, Bergsagel, Boharski, Clark, R. DeBruycker, Gilbert, Grinde, Hoffman, Peterson, Swysgood, Thoft, Thomas, Wallin.
Total 13

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 428, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, Nisbet, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 76

Noes: Barnett, Barnhart, Benedict, Bergsagel, Boharski, Clark, Davis, Gilbert, Grinde, Knox, McCaffree, L. Nelson, T. Nelson, O'Keefe, Peck, Peterson, Phillips, Spring, Stang, Steppler, Swysgood, Thoft, Wallin.
Total 23

Excused: None.
Total 0

Absent or not voting: R. DeBruycker.
Total 1

MOTIONS

Representative Cobb moved the House reconsider its action on the free conference committee report #1 to HB 93 taken on second reading this legislative day. Motion carried.

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper April 25, 1991
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Harper:

Please be informed that I have signed House Bills 30, 145, 234, 298, 321, 334, 393, 489, 508, 595, 723, 830, 876 and 923 on April 24, 1991.

Sincerely,

STAN STEPHENS
Governor

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House recess until 12:30 p.m. Motion carried.

House recessed at 11:15 a.m.

House reconvened at 12:30 p.m. Mr. Speaker Pro Tempore in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/25/91
Correctly engrossed: HB 7, HB 963.

MESSAGES FROM THE SENATE

The Senate, on 4/25/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 846.

President Mazurek appointed the following members:

Senator Lynch, Chairman
Senator Pipinich
Senator Keating

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Darko moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Gilbert in the Chair.

Mr. Speaker Pro Tempore: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 93 - Representative Thomas moved the free conference committee report #1 to HB 93 be adopted. Motion carried as follows:

Ayes: Barnett, Becker, Benedict, Bergsagel, Boharski, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Cromley, Darko, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Mercer, T. Nelson, Peterson, Phillips, J. Rice, S. Rice, Russell, Schye, Simpkins, Spring, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 59

Noes: Bachini, Barnhart, Beck, Bradley, Brooke, Cody, Cohen, Daily, Davis, Dolezal, Dowell, Driscoll, Elliott, Gervais, S. J. Hansen, Harrington, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Scott, Southworth, Squires, Steppler, Thoft, Wanzenried.
Total 37

Excused: Bardanouve, Feland, Kadas, Stang.
Total 4

Absent or not voting: None.
Total 0

HB 990 - Representative Nisbet moved the free conference committee report #1 to HB 990 be adopted. Motion carried as follows:

Ayes: Bachini, Barnett, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, M. Hanson, Harrington, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Toole, Whalen, Wyatt, Mr. Speaker.
Total 57

Noes: Bardanouve, Barnhart, Benedict, Bergsagel, Boharski, Clark, Cohen, Davis, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Feland, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Knox, Lee, McCaffree, Measure, Mercer, L. Nelson,

Peck, Peterson, Raney, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Zook.
Total 42

Excused: None.
Total 0

Absent or not voting: T. Nelson.
Total 1

SB 51 - Representative Whalen moved the free conference committee report #1 to SB 51 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 91

Noes: Benedict, Bergsagel, R. DeBruycker, Peterson, Swysgood, Zook.
Total 6

Excused: None.
Total 0

Absent or not voting: J. Johnson, Kadas, Larson.
Total 3

SB 58 - Representative Strizich moved the free conference committee report #1 to SB 58 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin,

Wanzenried, Whalen, Mr. Speaker.
Total 90

Noes: Bergsagel, R. DeBruycker, Ellison, McCaffree, Steppler, Swysgood, Wyatt, Zook.
Total 8

Excused: None.
Total 0

Absent or not voting: J. Johnson, Stang.
Total 2

SB 94 - Representative O'Keefe moved the free conference committee report #2 to SB 94 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 71

Noes: Barnett, Benedict, Bergsagel, Clark, Cobb, Cohen, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Grinde, Hayne, Hoffman, Kasten, Knox, Measure, Mercer, L. Nelson, Peterson, Phillips, Simpkins, Steppler, Swysgood, Thoft, Thomas, Zook.
Total 28

Excused: Kadas.
Total 1

Absent or not voting: None.
Total 0

SB 266 - Representative O'Keefe moved the free conference committee report #1 to SB 266 be adopted. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Bergsagel, Daily, L. Nelson, Pavlovich, Peterson, Russell, Steppler.
Total 7

Excused: Bardanouve, Kadas.
Total 2

Absent or not voting: None.
Total 0

SB 326 - Representative Stickney moved the free conference committee report #1 to SB 326 be adopted. Motion carried as follows:

Ayes: Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Forrester, Gervais, Gould, S. J. Hansen, Harrington, Hayne, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 66

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, R. DeBruycker, Feland, Foster, Galvin, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hoffman, Kasten, Knox, McCaffree, McCulloch, Mercer, T. Nelson, Peck, Peterson, Phillips, Simpkins, Spring, Steppler, Swysgood, Thoft.
Total 30

Excused: Kadas.
Total 1

Absent or not voting: Bardanouve, Fagg, Stang.
Total 3

SJR 21 - Representative Galvin moved the free conference committee report #1 to SJR 21 be adopted. Motion carried as follows:

Ayes: Bachini, Barnett, Beck, Becker, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, J. Johnson, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, Nisbet, Pavlovich, Peck, Phillips, Quilici, Raney, S. Rice, Russell, Schye, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 58

Noes: Barnhart, Benedict, Bergsagel, Clark, Cody, Connelly, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Measure,

L. Nelson, T. Nelson, O'Keefe, Peterson, J. Rice, Scott, Simpkins, Spring, Steppler, Thoft, Tunby, Zook.
Total 36

Excused: Kadas.
Total 1

Absent or not voting: Bardanouve, Boharski, Bradley, Mercer, Ream.
Total 5

HB 354 - Representative Schye moved Governor's amendments to HB 354 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Toole, Tunby, Wanzenried, Whalen, Wyatt.
Total 66

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Knox, Messmore, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Thoft, Thomas, Wallin, Zook.
Total 31

Excused: Kadas.
Total 1

Absent or not voting: Hoffman, Mr. Speaker.
Total 2

HB 746 - Representative Russell moved Governor's amendments to HB 746 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Scott, Whalen.
Total 2

Excused: Kadas.
Total 1

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker Pro Tempore in the Chair. Chairman Gilbert moved the adoption of the committee report. Report adopted. (87-12)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 758, conference committee report #1, adopted as follows:

Ayes: Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 66

Noes: Bachini, Barnett, Bergsagel, Boharski, Clark, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Feland, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Kasten, Keller, Knox, Lee, McCaffree, Mercer, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Simpkins, Spring, Thoft, Wallin.
Total 32

Excused: Kadas.
Total 1

Absent or not voting: Bardanouve.
Total 1

SB 441, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J.

Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Ellison.
Total 1

Excused: Kadas.
Total 1

Absent or not voting: Kasten, Ream.
Total 2

HB 77, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 74

Noes: Benedict, Bergsagel, Boharski, Brooke, Cohen, Cromley, R. DeBruycker, Ellison, Gilbert, Grinde, H. S. Hanson, Hayne, Kadas, Kasten, Knox, Lee, L. Nelson, T. Nelson, Peterson, Simpkins, Spring, Steppler, Swysgood, Thoft.
Total 24

Voted Absentee: Kadas, No.

Excused: None.
Total 0

Absent or not voting: Ellis, S. Rice.
Total 2

HB 93, free conference committee report #1, adopted as follows:

Ayes: Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Cromley, Darko, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller,

Kilpatrick, Kimberley, Knox, Larson, Lee, Menahan, Mercer, T. Nelson, Peterson, Phillips, J. Rice, S. Rice, Russell, Schye, Simpkins, Spring, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Whalen, Zook, Mr. Speaker.
Total 64

Noes: Bachini, Bardanouve, Barnhart, Bradley, Brooke, Cody, Cohen, Daily, Davis, Dolezal, Dowell, Driscoll, S. J. Hansen, Harrington, Madison, McCaffree, McCarthy, McCulloch, Measure, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Scott, Southworth, Squires, Stang, Steppler, Thoft, Wanzenried, Wyatt.
Total 36

Voted Absentee: Kadas, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 580, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Kadas.
Total 1

Absent or not voting: Ellis, Ellison.
Total 2

HB 589, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester,

Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Barnett, R. DeBruycker, Gilbert, Spring.
Total 4

Excused: Kadas.
Total 1

Absent or not voting: None.
Total 0

HB 973, free conference committee report #2, adopted as follows:

Ayes: Barnett, Barnhart, Benedict, Bergsagel, Bradley, D. Brown, J. Brown, Clark, Cobb, Cromley, Daily, Davis, J. DeBruycker, R. DeBruycker, Driscoll, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Knox, Larson, McCaffree, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, S. Rice, Russell, Simpkins, Spring, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Zook, Mr. Speaker.
Total 64

Noes: Bachini, Bardanouve, Beck, Becker, Boharski, Brooke, Cocchiarella, Cody, Cohen, Connelly, Darko, Dolezal, Dowell, Elliott, Forrester, Gervais, S. J. Hansen, Kadas, Kasten, Kilpatrick, Kimberley, Lee, Madison, McCulloch, Measure, O'Keefe, Raney, Ream, J. Rice, Schye, Scott, Southworth, Squires, Wanzenried, Whalen, Wyatt.
Total 36

Voted Absentee: Kadas, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 990, free conference committee report #1, adopted as follows:

Ayes: Bachini, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, M. Hanson, Harrington, J. Johnson, Kilpatrick, Kimberley, Larson, Madison, McCarthy,

McCulloch, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Toole, Whalen, Wyatt, Mr. Speaker.
Total 56

Noes: Bardanouve, Barnett, Barnhart, Benedict, Bergsagel, Boharski, Clark, Cohen, Davis, J. DeBruycker, R. DeBruycker, Ellison, Feland, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Measure, Mercer, L. Nelson, T. Nelson, Peck, Peterson, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Zook.
Total 42

Excused: Kadas.
Total 1

Absent or not voting: Ellis.
Total 1

SB 51, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 92

Noes: Benedict, Bergsagel, R. DeBruycker, Grinde, Peterson, Swysgood, Zook.
Total 7

Excused: Kadas.
Total 1

Absent or not voting: None.
Total 0

SB 58, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson,

Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Mr. Speaker.
Total 87

Noes: Barnett, Bergsagel, J. DeBruycker, R. DeBruycker, McCaffree, L. Nelson, Peterson, Simpkins, Steppler, Swysgood, Wyatt, Zook.
Total 12

Excused: Kadas.
Total 1

Absent or not voting: None.
Total 0

SB 94, free conference committee report #2, adopted as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, J. Johnson, R. Johnson, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wallin, Wanzenried,

Whalen, Wyatt, Mr. Speaker.
Total 73

Noes: Barnett, Benedict, Bergsagel, Clark, Cobb, Cody, J. DeBruycker, R. DeBruycker, Fagg, Feland, Grinde, Hayne, Hoffman, Kasten, Keller, Knox, L. Nelson, Peterson, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 26

Excused: Kadas.
Total 1

Absent or not voting: None.
Total 0

SB 266, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller,

Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Peck, Phillips, Quilici, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Bergsagel, Clark, Cody, Daily, J. DeBruycker, L. Nelson, Pavlovich, Peterson, Raney, Russell, Steppler.
Total 11

Excused: Kadas.
Total 1

Absent or not voting: None.
Total 0

SB 326, free conference committee report #1, adopted as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Elliott, Fagg, Forrester, Gervais, Gould, Grady, S. J. Hansen, Harrington, Hayne, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Russell, Scott, Southworth, Squires, Stang, Stickney, Strizich, Thomas,

Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 62

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Cromley, J. DeBruycker, R. DeBruycker, Driscoll, Ellis, Ellison, Feland, Foster, Galvin, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hoffman, Kasten, Knox, McCaffree, McCulloch, Mercer, L. Nelson, T. Nelson, Peck, Peterson, Phillips, J. Rice, Schye, Simpkins, Spring, Steppler, Swysgood, Thoft.
Total 36

Excused: Kadas.
Total 1

Absent or not voting: Clark.
Total 1

SJR 21, free conference committee report #1, adopted as follows:

Ayes: Bachini, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kilpatrick, Kimberley, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Ream, S. Rice,

Russell, Schye, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 60

Noes: Bardanouve, Barnett, Barnhart, Benedict, Bergsagel, Boharski, Clark, Cody, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Knox, Larson, Lee, Measure, L. Nelson, T. Nelson, Peterson, Raney, J. Rice, Scott, Simpkins, Spring, Steppler, Thoft, Tunby, Zook.
Total 39

Excused: Kadas.
Total 1

Absent or not voting: None.
Total 0

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/25/91
Correctly enrolled: HB 33, HB 539, HB 551, HB 747, HB 1013, HJR 42, HJR 53.

MOTIONS

Representative Harper moved the House reconsider its action on the free conference committee report #1 to SB 370 taken on second reading the previous legislative day. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House recess until 3:30 p.m. Motion carried.

House recessed at 1:25 p.m.

House reconvened at 3:30 p.m. Mr. Speaker Pro Tempore in the Chair.

MESSAGES FROM THE SENATE

The Senate, on 4/25/91, dissolved the conference committee on House amendments to SB 17 and appointed a free conference committee to meet with a like committee from the House to confer on SB 17.

President Mazurek appointed the following members:

Senator Blaylock, Chairman
Senator Towe
Senator Brown

The Senate requests that the House appoint a like committee to confer on SB 17.

MOTIONS

Representative Driscoll moved the House dissolve the conference committee on House amendments to SB 17 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on SB 17. Motion carried.

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the free conference committee on SB 17:

Representative Peck, Chairman
Representative Darko
Representative Grinde

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/25/91
Delivered to the Governor for his approval at 2:34 p.m., 4/25/91: HB 309, HB 451, HB 568, HB 650, HB 672, HB 719, HB 763, HB 833, HB 836, HB 864, HB 913, HB 987, HB 988, HB 989.

REPORTS OF SELECT COMMITTEES

Conference Committee
on House Bill 691
Report No. 1, April 23, 1991

Mr. Speaker and Mr. President:

We, your Conference Committee on House Bill 691, met and considered Senate committee on Judiciary amendments, dated March 16, 1991, and recommend that House Bill 691 (reference copy -- salmon) be amended as follows:

1. Title, line 6.
Strike: "NEGLIGENT"

2. Title, line 7.
Strike: "ENVIRONMENTAL"
Insert: "SURFACE WATER OR GROUND WATER"

3. Page 2, line 9.
Following: "any"
Strike: "NEGLIGENT"

4. Page 2, lines 9 and 10.
Following: "omission" on line 9
Strike: remainder of line 9 through "(2)," on line 10

5. Page 2, line 13.
Following: "surface water"
Strike: ","
Insert: "or"

6. Page 2, line 14.
Strike: "soil, or air"
Insert: "for which a cause of action exists in statutory or common law or at equity"

7. Page 2, line 14.
Following: "SEPARATE"
Insert: "or new"

8. Page 3, line 9.
Following: "SURFACE WATER"
Strike: ","
Insert: "or"

9. Page 3, line 10.
Strike: "SOIL, OR AIR"
Insert: "for which a cause of action exists in statutory or common law or at equity. This subsection (b) does not create a separate or new cause of action"

And that this Conference Committee report be adopted.

For the House:	For the Senate:
Toole, Chair	Pinsoneault, Chair
Measure	Doherty
R. Johnson	Harp

Conference Committee
on Senate Bill No. 436
Report No. 1, April 23, 1991

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill No. 436, met and considered the amendments in the:

1. House Taxation Committee Standing Committee Report dated April 15, 1991;

2. House Committee of the Whole Amendment by Rep. Thomas dated April, 15, 1991;

3. House Committee of the Whole Amendment by Rep. Gilbert dated April 16, 1991; and

4. House Committee of the Whole Amendment by Rep. Dowell dated April 16, 1991.

We recommend that Senate Bill No. 436 (reference copy - salmon) be amended as follows:

1. Title, page 1, line 23 through page 2, line 3.
Following: "PROCEEDS;" on page 1, line 23
Strike: remainder of line 23 through "JURISDICTIONS;" on page 2, line 3

2. Title, page 2, lines 17 and 18.
Following: "~~AND~~" on line 17
Strike: "A RETROACTIVE"
Following: "APPLICABILITY" on line 18
Strike: "DATE"
Insert: "DATES"

3. Page 32, line 9 through page 34, line 11.
Strike: sections 15 and 16 in their entirety
Renumber: subsequent sections

4. Page 34, line 13.
Strike: "15-6-147,"

5. Page 34.
Following: line 15
Insert: "(3) Section 15-6-147, MCA, is repealed."

6. Page 35, lines 1 through 7.
Strike: subsection (3) in its entirety

7. Page 35, line 9.
Strike: "AND [SECTION 15]"

8. Page 35, lines 14 and 15.
Following: "applies" on line 14
Strike: remainder of line 14 through "1-2-109," on line 15

9. Page 35, line 16.
Strike: "1991"
Insert: "1992"

10. Page 35.
Following: line 17
Insert: "(3) The amendments to class fifteen property contained in 15-6-145, as amended by [section 8], except those amendments that change the number of the class, and the repeal of 15-6-147 in [section 15] are effective on passage and approval and apply retroactively, within the meaning of 1-2-109, to tax years beginning on or after January 1, 1991."

And that this Conference Committee report be adopted.

For the Senate: For the House:

Koehnke, Chair Cohen, Chair

Eck Gilbert
B. Brown

Free Conference Committee
on House Joint Resolution 24
Report No. 1, April 25, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee, met and considered House Joint Resolution 24 and recommend that House Joint Resolution 24 (amended reference copy -- salmon) be amended as follows:

1. Page 3, line 4.
Strike: "$432,309,000"
Insert: "$433,059,000"
Strike: "$562,288,000"
Insert: "$455,320,000"
Strike: "$579,601,000"
Insert: "$471,648,000"

2. Page 3, line 5.
Strike: "$398,457,000"
Insert: "$398,379,000"
Strike: "$259,320,000"
Insert: "$372,177,000"

3. Page 3, line 6.
Strike: "$263,494,000"
Insert: "$381,854,000"

4. Page 4, line 18.
Strike: the third "$0.000"
Insert: "$50.000"
Strike: the fourth "$0.000"
Insert: "$90.000"

5. Page 4, line 19.
Following: line 18
Insert: "FY Basis Points (Percentage) 0.000% 0.000% 1.500% 1.500%"

6. Page 4, line 20.
Strike: "$11.767"
Insert: "$13.517"
Strike: "$12.290"
Insert: "$14.640"

7. Page 4, line 21.
Following: line 20
Insert: "FY Legislative Audits (Millions) $0.000 $0.000 $0.750 $0.750"

8. Page 4, line 22.
Strike: "17.809"

Insert: "18.000"
Strike: "17.196"
Insert: "17.600"
Strike: "16.525"
Insert: "17.000"

9. Page 4, line 23.
Strike: "$20.982"
Insert: "$21.600"
Strike: "$23.729"
Insert: "$21.500"

10. Page 7, line 8.
Strike: "$181.720000"
Insert: "$182.761000"
Strike: "$192.465000"
Insert: "$193.863000"

11. Page 7, line 10.
Strike: "32.723000"
Insert: "32.724000"

12. Page 7, line 12.
Strike: "20.296000"
Insert: "20.295000"
Strike: "20.520000"
Insert: "19.429000"
Strike: "18.081000"
Insert: "18.528000"

13. Page 7, line 13.
Strike: "18.421000"
Insert: "22.276000"
Strike: "17.835000"
Insert: "25.152000"

14. Page 7, line 14.
Strike: "9.393000"
Insert: "41.749000"
Strike: "9.335000"
Insert: "43.233000"

15. Page 7, line 17.
Strike: "12.618000"
Insert: "13.351000"
Strike: "13.065000"
Insert: "12.930000"

16. Page 7, line 21.
Strike: "3.991000"
Insert: "4.641000"

17. Page 8, line 12.

Strike: "17.977000"
Insert: "18.727000"
Strike: "18.527000"
Insert: "19.277000"

18. Page 8, line 14.
Strike: "$432.309000"
Insert: "$433.059000"
Strike: "$562.288000"
Insert: "$455.320000"
Strike: "$579.601000"
Insert: "$471.648000"

19. Page 8, line 24.
Strike: "$97.121000"
Insert: "$97.677000"
Strike: "$102.863000"
Insert: "$103.611000"

20. Page 9, line 4.
Strike: "9.326000"
Insert: "15.289000"
Strike: "9.193000"
Insert: "15.070000"

21. Page 9, line 7.
Strike: "25.497000"
Insert: "25.420000"
Strike: "25.688000"
Insert: "25.527000"
Strike: "24.829000"
Insert: "24.916000"

22. Page 9, line 13.
Strike: "8.396000"
Insert: "8.358000"
Strike: "8.719000"
Insert: "8.722000"

23. Page 9, line 16.
Strike: "$294.251000"
Insert: "$294.174000"
Strike: "$154.298000"
Insert: "$267.065000"
Strike: "$157.067000"
Insert: "$275.838000"

24. Page 9, line 23.
Strike: "2.653000"
Insert: "2.657000"

25. Page 10, line 4.
Strike: "18.706000"

Insert: "18.701000"
Strike: "19.772000"
Insert: "19.862000"
Strike: "20.369000"
Insert: "19.958000"

26. Page 10, line 7.
Strike: "$104.206000"
Insert: "$104.205000"
Strike: "$105.022000"
Insert: "$105.112000"
Strike: "$106.427000"
Insert: "$106.016000"

27. Page 10, line 17.
Strike: "$398.457000"
Insert: "$398.379000"
Strike: "$259.320000"
Insert: "$372.177000"
Strike: "$263.494000"
Insert: "$381.854000"

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
Ream, Chair	Halligan, Chair
Schye	Towe
Thomas	B. Brown

Free Conference Committee
on Senate Bill No. 17
Report No. 1, April 25, 1991

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 17, met and considered Senate Bill No. 17 (reference copy - salmon) and we recommend that Senate Bill No. 17 (reference copy - salmon) be amended as follows:

1. Page 103, line 23.
Following: line 22
Insert: "Section 55. Section 15-1-501, MCA, is amended to read:

"15-1-501. Disposition of money from certain designated license and other taxes. (1) The state treasurer shall deposit to the credit of the state general fund all money received by him from the collection of:

(a) fees from driver's licenses, motorcycle endorsements, and duplicate driver's licenses as provided in 61-5-121;

(b) electrical energy producer's license taxes under chapter 51;

(c) severance taxes allocated to the general fund under chapter 36;

(d) liquor license taxes under Title 16;
(e) telephone company license taxes under chapter 53; and

(f) inheritance and estate taxes under Title 72, chapter 16.

(2) All money received from the collection of income taxes under chapter 30 of this title must be deposited as follows:
(a) ~~57% in fiscal year 1990 and 50% in fiscal year 1991,~~ 62.8% to the credit of the state general fund;
(b) ~~9.8% in fiscal year 1990 and~~ 8.7% ~~in fiscal year 1991,~~ to the credit of the debt service account for long-range building program bonds as described in 17-5-408; and
(c) ~~33.2% in fiscal year 1990 and 41.3% in fiscal year 1991,~~ 28.5% to the credit of the state special revenue fund for state equalization aid to the public schools of Montana as described in 20-9-343.

(3) All money received from the collection of corporation license and income taxes under chapter 31 of this title, except as provided in 15-31-702, must be deposited as follows:
(a) ~~64% in fiscal year 1990 and~~ 61% ~~in fiscal year 1991,~~ to the credit of the state general fund;
(b) ~~11% in fiscal year 1990 and~~ 10.5% ~~in fiscal year 1991,~~ to the credit of the debt service account for long-range building program bonds as described in 17-5-408; and
(c) ~~25% in fiscal year 1990 and~~ 28.5% ~~in fiscal year 1991,~~ to the credit of the state special revenue fund for state equalization aid to the public schools of Montana as described in 20-9-343.

(4) The state treasurer shall also deposit to the credit of the state general fund all money received by him from the collection of license taxes, fees, and all net revenues and receipts from all other sources under the operation of the Montana Alcoholic Beverage Code.

(5) After the distribution provided for in 15-36-112, the remainder of the oil severance tax collections must be deposited in the general fund.""

Renumber: subsequent sections

2. Page 104, line 17.
Strike: "58"
Insert: "54, 56 through 59"

3. Page 104, line 20.
Strike: "1991"
Insert: "1993"

4. Page 104.
Following: line 20
Insert: "(3) [Section 55] is effective July 1, 1991"

And that this Free Conference Committee report be adopted.

For the Senate: For the House:

Blaylock, Chair
Towe

Peck, Chair
Darko
Grinde

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 25, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bill 937 on April 23, 1991.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 25, 1991

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 179, "AN ACT ~~MAKING A STATUTORY APPROPRIATION OF REVENUE FROM THE STATE LOTTERY~~ APPROPRIATING FUNDS TO THE DEPARTMENT OF MILITARY AFFAIRS FOR THE UPGRADING AND MAINTENANCE OF THE STATE VETERANS' CEMETERY; PROVIDING COORDINATION INSTRUCTIONS; ~~AMENDING SECTION 23-5-1027, MCA;~~ AND PROVIDING AN EFFECTIVE DATE."

House Bill 179 provides important resources for the very necessary upgrading and maintenance of the state's veteran's cemetery.

In fact, the need for funds to provide these services is too important to be tied to a source of funding that is questionable at least and controversial throughout the legislative process.

I, therefore, amend House Bill 179 to remove the coordinating language with Senate Bill 461.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 179
(REFERENCE COPY, AS AMENDED)
April 25, 1991

1. Title, line 10.
Following: "CEMETERY;"
Strike: "PROVIDING COORDINATION INSTRUCTIONS;"

2. Page 2, line 24 through page 3, line 1.
Strike: section 2 in its entirety
Renumber: subsequent sections

The Honorable Hal Harper
Speaker
House of Representatives
State Capitol
Helena, Montana 59620

April 25, 1991

The Honorable Joseph P. Mazurek
President
Montana State Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 285, "AN ACT ALLOWING COUNTY COMMISSIONERS TO CHARGE FEE ON STRUCTURES FOR THE OPERATION OF A MOSQUITO CONTROL DISTRICT; AMENDING SECTION 7-22-2432, MCA; AND PROVIDING AN EFFECTIVE DATE."

House Bill 285 amends section 7-22-2432, MCA, which now requires a board of county commissioners to levy a tax of up to 5 mills to finance the operation of a mosquito control district located within the county. House Bill 285 would allow the county commissioners to fund mosquito district operations by levying a tax of up to 5 mills, collecting fees from the owners of structures benefitted by the district or by both levying a tax and collecting fees.

Because the amount of revenue which would be generated by this fee system, either alone or in combination with a 5-mill levy, is unspecified and could vary widely from mosquito district to mosquito district, I believe that the public should be given the opportunity to decide for itself whether the level of service proposed is desirable and appropriate in view of other county needs. Accordingly, my proposed amendments would require a public vote before the county could implement such an arrangement.

I request that you concur with my amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 285
(REFERENCE COPY, AS AMENDED)
April 25, 1991

1. Page 1, line 16.
Following: "BY"
Strike: "ONE"

2. Page 1, line 17.
Strike: line 17 in its entirety

3. Page 1, line 18.
Following: line 17
Strike: "(a) ~~by levy~~"

4. Page 1, line 21.
Following: "taxes"
Strike: "~~; or~~"
Insert: "."

5. Page 1, line 22.
Following: line 21
Strike: "(b) ~~by collecting~~"
Insert: "(2) Instead of or in addition to imposing the levy authorized in subsection (1), the county commissioners may, upon an affirmative vote of a majority of the qualified voters residing in the mosquito control district, collect"

6. Page 2, lines 1 through 7.
Renumber (i) through (vi) as (a) through (f)

7. Page 2, line 9.
Following: line 8
Strike: "(2)"
Insert: "(3)"

8. Page 2, line 10.
Following: "SUBSECTION (1)"
Strike: "(A)"

9. Page 2, line 11.
Following: "SUBSECTION"
Strike: "(1) (B)"
Insert: "(2)"

10. Page 2, line 13.
Following: "~~(2)~~"
Strike: "[3]"
Insert: "(4)"
Following: "subsection"
Strike: "[1)(b)"
Insert: "(2)"

11. Page 2, line 16.
Following: "~~(3)~~"
Strike: "[4]"
Insert: "(5)"

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 23, 1991

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 340, "AN ACT TO GENERALLY REVISE THE TAXATION OF PRIVATE FOREST LANDS; DEFINING FOREST LAND AND FOREST PRODUCTIVITY VALUE; REQUIRING THE DEPARTMENT OF REVENUE TO VALUE FOREST LANDS OF ~~5~~ 15 ACRES OR MORE ON THE BASIS OF PRODUCTIVITY BY CAPITALIZING THE NET INCOME OF FOREST LAND; AUTHORIZING THE DEPARTMENT OF REVENUE TO ESTABLISH FOREST VALUATION ZONES; PROVIDING FOR A TRANSITION PERIOD IN THE TAXATION OF FOREST LANDS BY EXTENDING THE TERMINATION DATE OF CLASS THIRTEEN PROPERTY; PROVIDING THAT CLASS THIRTEEN WILL APPLY TO THE TAXATION OF FOREST LANDS BEGINNING JANUARY 1, 1994; ~~PROVIDING THAT LAND MUST BE CLASSIFIED AS AGRICULTURAL LAND IF ITS GRAZING VALUE IS GREATER THAN ITS FOREST PRODUCTIVITY VALUE;~~ EXEMPTING TIMBER FROM AD VALOREM PROPERTY TAXATION; IMPOSING AN ASSESSMENT ON ALL PRIVATELY OWNED TIMBERLAND; PROVIDING AN APPROPRIATION; AMENDING SECTIONS 15-1-101, 15-6-143, 15-6-201, AND 15-8-111, MCA, AND SECTION 10, CHAPTER 681, LAWS OF 1985; AND PROVIDING EFFECTIVE DATES, APPLICABILITY DATES, AND A TERMINATION DATE."

These technical amendments are proposed to repair inadvertent legislative error with House Bill 340. Representative Ream and Senator Brown, sponsors of the legislation, concur with these amendments. I urge your concurrence as well.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 340
(REFERENCE COPY, AS AMENDED)
April 23, 1991

1. Page 25, line 8.
Strike: "JUNE 30"
Insert: "December 31"

2. Page 28, lines 16 and 17.
Following: "." on line 16
Strike: remainder of line 16 through "SECTION" on line 17
Insert: "[Sections"
Following: "6"
Insert: ","
Strike: "and section"
Following: "(d)"
Insert: ", and 13"

3. Page 28, lines 15 and 16.
Strike: "-- CONTINGENT TERMINATION"

4. Page 28, line 18.
Strike: "JULY 1, 1993"
Insert: "January 1, 1994"

5. Page 28, line 19 through page 29, line 4.
Strike: subsections (2) and (3) in their entirety

The Honorable Hal Harper April 24, 1991
Speaker of the House
House of Representatives
Capitol Station
Helena, Montana 59620

The Honorable Joseph P. Mazurek
President
Montana State Senate
Capitol Station
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto the adoption of House Bill 386, "AN ACT INCREASING THE GASOLINE LICENSE TAX BY ~~1~~ 0.25 CENT A GALLON TO FINANCE ROADS LEADING TO AND WITHIN STATE PARKS, STATE RECREATIONAL AREAS, AREAS HAVING STATE MONUMENTS, AND STATE HISTORICAL SITES; AMENDING SECTIONS 15-70-101 AND

15-70-204, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

House Bill 386 imposes an additional one-quarter cent per gallon gas tax on Montanans who use fuels. This is a general tax increase and as such runs counter to my promise to the people of Montana that such increases would not be allowed.

No matter how worthy the cause, and the use of this money for roads within Montana parks is worthy, government can and must live within its current means.

Because the maintenance of roads leading to and within state parks and recreation areas is a priority of this administration, I have instructed the Directors of the Department of Highways and the Department of Fish, Wildlife and Parks to work together to provide as much service as possible within existing budgets to these roads.

For these reasons, I must veto House Bill 386.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 25, 1991

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 569, "AN ACT APPROPRIATING ~~GENERAL FUND AND~~ FEDERAL MONEY TO THE DEPARTMENT OF FAMILY SERVICES FOR THE PURCHASE AND DEVELOPMENT OF A MANAGEMENT INFORMATION SYSTEM; AND PROVIDING COORDINATION INSTRUCTIONS."

House Bill 569 provides important management information resources for the Department of Family Services.

In fact, the need for funds to provide these services is too important to be tied to a source of funding that is questionable at least and controversial throughout the legislative process.

In addition, my amendment reduces the general fund appropriation in this bill by $80,037 which is currently included in House Bill 2 as a biennial

general fund appropriation for implementation of the Management Information System.

I urge your concurrence with these amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 569
(REFERENCE COPY, AS AMENDED)
April 25, 1991

1. Title, line 5.
Following: "~~AND~~"
Insert: "GENERAL FUND AND"

2. Title, line 7.
Following: "SYSTEM"
Strike: "; AND PROVIDING COORDINATION INSTRUCTIONS"

3. Page 2, line 21.
Following: line 20
Strike: "$627,376"
Insert: "$547,339"

4. Page 3, line 8.
Strike: section 2 in its entirety

The Honorable Hal Harper April 25, 1991
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 977, "AN ACT REVISING THE LAWS RELATING TO RESIDENTIAL TREATMENT FACILITIES; ALLOWING MEDICAID REIMBURSEMENT FOR INPATIENT PSYCHIATRIC SERVICES FOR PERSONS UNDER 21 YEARS OF AGE IN A RESIDENTIAL TREATMENT FACILITY; REQUIRING LICENSURE OF A RESIDENTIAL TREATMENT FACILITY IN ORDER TO QUALIFY FOR MEDICAID REIMBURSEMENT; AMENDING SECTIONS 50-5-101, 50-5-301, 50-5-316, AND 53-6-101,

MCA; REPEALING SECTION 50-5-317, MCA; AND PROVIDING AN EFFECTIVE DATE."

Medicaid residential treatment is an entitlement program. If the Department of Family Services is to control the growth of this new entitlement program and to create an entire continuum of care for Montana children, it needs to be able to control and direct the growth of any aspect of the continuum. If a one-month window of opportunity is allowed to exist, the number of programs that may choose to enter this new market cannot be predicted.

My proposed amendments would delete the provisions of the bill which exempt facilities existing as of August 1, 1991 from the certificate of need requirement. Special exemptions to the certificate of need process would increase health care costs to all Montanans as well as to the Montana Medicaid program. It is estimated that 38 residential treatment facility beds would be added to those currently in existence. Those additions could add approximately $1,054,790 per year to the Montana Medicaid program unless a significant number of higher cost hospital beds are reduced. This money could better be used to fund less costly and less restrictive rehabilitation programs.

I urge your concurrence in my amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 977
(REFERENCE COPY, AS AMENDED)
April 25, 1991

1. Title, line 10.
Following: "50-5-301,"
Strike: "50-5-316,"

2. Pages 1 and 2.
Strike: Statement of Intent in its entirety

3. Page 25, line 24 through page 26, line 11.
Strike: section 3 in its entirety
Renumber: subsequent sections

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 25, 1991

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol

Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 999, "AN ACT TO GENERALLY REVISE THE LAWS RELATING TO OUT-OF-DISTRICT PLACEMENT OF CHILDREN WITH DISABILITIES; TO PROVIDE STATE FUNDING FOR THE EDUCATIONAL PROGRAMS FOR ELIGIBLE CHILDREN PLACED IN IN-STATE RESIDENTIAL TREATMENT FACILITIES OR CHILDREN'S PSYCHIATRIC HOSPITALS; TO PROVIDE AN APPROPRIATION; AMENDING SECTIONS 20-5-301, 20-5-311, 20-7-403, 20-7-420, 20-7-421, 20-7-422 ~~AND~~ 20-7-431, AND 20-9-334, MCA; REPEALING SECTION 20-7-423, MCA; AND PROVIDING AN EFFECTIVE DATE."

While I support the effort at cost containment included in this bill, House Bill 999 includes $2,471,000 of additional general fund money that is not available. This money would be used to offset current costs of general education and special education programs.

I am approving House Bill 999 contingent upon A $2,471,000 reduction in special education appropriations in House Bill 2. This will allow the cost containment features included in House Bill 999 and relieve districts of the responsibility of negotiating individually on children placed in these facilities. The bill as amended will not expand the overall cost of education.

I urge your concurrence in my amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 999
(REFERENCE COPY, AS AMENDED)
April 25, 1991

1. Title, line 14.
Following: "MCA;"
Insert: "PROVIDING A COORDINATION INSTRUCTION;"

2. Page 30, following line 4.
Insert: "NEW SECTION. Section 16. Coordination Instruction. [This Act] is contingent upon the special education and special education contingency general fund appropriations in House Bill 2 being reduced to a total of not greater than $65,252,293 for fiscal years 1992 and 1993."

The Honorable Joseph P. Mazurek April 23, 1991
President
Montana State Senate

State Capitol
Helena, Montana 59620

The Honorable Hal Harper
Speaker
House of Representatives
State Capitol
Helena, Montana 59620

Dear President Mazurek and Speaker Harper:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to Senate Bill 445, "AN ACT PROVIDING MONTANA TAXPAYERS WITH A SIMPLE, INEXPENSIVE, AND EFFECTIVE TAX REVIEW PROCESS FOR TAXES ADMINISTERED BY THE DEPARTMENT OF REVENUE EXCEPT PROPERTY, INHERITANCE, AND ESTATE TAXES BUT INCLUDING REVISED ASSESSMENTS OF CENTRALLY ASSESSED PROPERTY TAXES; ~~CLARIFYING AND LIMITING THE USE OF DECLARATORY JUDGMENT ACTIONS IN TAX CASES;~~ PROVIDING AUTHORITY TO ENTER INTO CLOSING AGREEMENTS; AMENDING SECTIONS ~~15-1-402,~~ 15-1-403, 15-1-406, 15-1-705, ~~15-2-307,~~ 15-8-601, 15-23-104, 15-25-114, 15-30-148, 15-30-149, 15-31-503, 15-31-532, 15-31-701, 15-35-112, 15-36-105, 15-36-113, 15-37-110, 15-37-114, 15-37-210, 15-38-110, 15-51-109, 15-53-105, 15-55-106, 15-58-110, 15-59-112, 15-59-212, 15-65-115, 69-1-225, AND 69-1-226, MCA; REPEALING SECTION 15-55-107, MCA; AND PROVIDING EFFECTIVE DATES AND AN APPLICABILITY ~~DATES~~ DATE."

These technical amendments repair a legislative oversight. Senator Doherty concurs with these amendments. I urge your concurrence as well.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
SENATE BILL 445
(REFERENCE COPY, AS AMENDED)
April 23, 1991

1. Page 45, lines 9 and 10.
Following: line 8
Strike: line 9 through "interest" on line 10

2. Page 46, lines 8 and 9.
Following: line 7
Strike: line 8 through "interest" on line 9

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Gilbert in the Chair.

Mr. Speaker Pro Tempore: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 995 - Representative Driscoll moved the conference committee report #1 to HB 995 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Bergsagel, R. DeBruycker, Fagg, R. Johnson.
Total 4

Excused: None.
Total 0

Absent or not voting: Grady.
Total 1

SB 17 - Representative Darko moved the free conference committee report #1 to SB 17 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Bergsagel, Boharski, Cobb, R. DeBruycker, Gilbert, M. Hanson, Simpkins.
Total 7

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 370 - Representative Ream moved consideration of the free conference committee report #1 to SB 370 be placed at the bottom of the second reading board. Motion carried.

HB 179 - Representative Phillips moved Governor's amendments to HB 179 be concurred in. Motion carried as follows:

Ayes: Barnett, Beck, Benedict, Bergsagel, Boharski, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Daily, Darko, R. DeBruycker, Dolezal, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 71

Noes: Bachini, Bardanouve, Barnhart, Becker, Bradley, Brooke, Cody, Connelly, Cromley, Davis, J. DeBruycker, Dowell, Driscoll, Elliott, Galvin, Kadas, Kilpatrick, Kimberley, McCaffree, Measure, L. Nelson, Nisbet, O'Keefe, S. Rice, Schye, Scott, Stickney, Toole, Whalen.
Total 29

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 857 - Representative O'Keefe moved Governor's amendments to HB 857 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Schye, Scott,

Simpkins, Southworth, Spring, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 82

Noes: Bachini, Boharski, Brooke, Clark, Cobb, Davis, R. DeBruycker, Galvin, Kimberley, Peck, Russell, Squires, Toole, Wanzenried, Whalen,

Wyatt.
Total 16

Excused: None.
Total 0

Absent or not voting: S. Rice, Mr. Speaker.
Total 2

HB 340 - Representative Ream moved Governor's amendments to HB 340 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kilpatrick, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Barnett, Clark, R. DeBruycker, Elliott, Feland, Galvin, Grinde, Kimberley, Swysgood, Thoft, Whalen.
Total 11

Excused: None.
Total 0

Absent or not voting: J. Johnson, Kadas, S. Rice.
Total 3

SB 370 - Representative Driscoll moved consideration of the free conference committee report #1 to SB 370 be placed on the supplemental agenda this legislative day. Motion carried.

Representative Driscoll moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker Pro Tempore in the Chair. Chairman Gilbert moved the adoption of the committee report. Report adopted. (93-2)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 7 passed as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Boharski, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Bachini, Bardanouve, Bergsagel, Bradley, Brooke, Cohen, Darko, Kasten, Measure, T. Nelson, O'Keefe, Peck, Raney.
Total 13

Excused: None.
Total 0

Absent or not voting: J. Johnson.
Total 1

HB 963 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Bergsagel, Brooke, Peck.
Total 3

Excused: None.
Total 0

Absent or not voting: Boharski, Kadas.
Total 2

HB 995, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Bergsagel, Fagg, R. Johnson.
Total 3

Excused: None.
Total 0

Absent or not voting: J. Johnson, Kadas.
Total 2

SB 17, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Ellison, M. Hanson, Simpkins.
Total 8

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Representative Bradley moved she be allowed to change her vote on Governor's amendments to HB 179, second reading, from yes to no. Motion carried.

ANNOUNCEMENTS

Representative Driscoll moved the House recess until 6:00 p.m. Motion carried.

House recessed at 4:00 p.m.

House reconvened at 6:10 p.m. Mr. Speaker Pro Tempore in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/25/91
Correctly enrolled: HB 29, HB 74, HB 233, HB 360, HB 677, HB 832, HJR 50.

REPORTS OF SELECT COMMITTEES

Conference Committee
on House Bill 559
Report No. 1, April 25, 1991

Mr. Speaker and Mr. President:

We, your Conference Committee on House Bill 559 met and considered Senate committee on Judiciary amendments, dated April 4, 1991, and recommend that House Bill 559 (reference copy -- salmon) be amended as follows:

1. Page 3, line 25.
Page 4, line 8.
Page 5, lines 11 and 21.
Page 6, line 6.
Page 7, line 18.
Page 8, line 17.
Page 9, line 8.
Page 10, lines 15 and 18.
Page 25, line 10.
Page 27, lines 12 and 20.
Page 28, line 6.
Strike: "OR TESTS"

2. Page 4, line 4.
Page 8, line 4.
Page 10, lines 1 and 2.

Page 10, line 11.
Page 24, line 25.
Page 25, line 14.
Page 26, line 23.
Page 27, lines 15 and 16.
Page 28, line 10.
Page 28, lines 18 and 19.
Strike: ", DRUGS, OR A COMBINATION OF THE TWO"

3. Page 4, lines 13 through 23.
Strike: "A" on line 13 through "DRUGS." on line 23

4. Page 5, lines 2 through 4.
Strike: "A" on line 2 through end of line 4

5. Page 8, lines 7 through 15.
Strike: "." on line 7
Insert: "; and"
Strike: "A" on line 7 through end of line 15

6. Page 10, lines 4 and 5.
Strike: "CITED FOR A VIOLATION OF 61-8-401 OR 61-8-406"

And that this Conference Committee report be adopted.

For the House:	For the Senate:
Whalen, Chair	Pinsoneault, Chair
Measure	Yellowtail
Fagg	

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/25/91

HB 597, introduced by Galvin
HJR 54, introduced by Brooke

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper April 25, 1991
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Harper:

Please be informed that I have signed House Bills 103, 448, 696, 704, 853, 868 and 934 on April 25, 1991.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper
Speaker of the House
House of Representatives
Capitol Station
Helena, Montana 59620

April 25, 1991

The Honorable Joseph P. Mazurek
President
Montana State Senate
Capitol Station
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 125, "AN ACT APPROPRIATING MONEY TO THE COMMISSIONER OF HIGHER EDUCATION FOR AMERICAN INDIAN/MINORITY ACHIEVEMENT PURPOSES."

The study of minority achievement in post secondary education has been ongoing primarily because of the availability of grant monies and federal funding. An argument supporting this legislation is that federal funds are not presently available. However, other sources of monies such as grants and participation from tribal governments and the University System provide an opportunity to continue this minority achievement program. The University System must prioritize their needs and administer those programs they believe are essential. They have the opportunity to do so in this case.

I was strongly inclined to veto this bill because it permits the use of the state general fund to be substituted for federal and private grant monies at a time when there are numerous demands placed on our limited resources, without showing a compelling state interest.

Further, requesting monies from the general fund for expenditures limited to programs to improve recruitment and retention of selected college and university students challenges Montana's commitment to equal opportunity for all students in this state.

However, a veto might be misunderstood as a lack of commitment of this administration to Native American needs. My concern is for the needs of all Montanans, particularly those in our schools, colleges and universities. I have amended House Bill 125 to provide a sunset. I strongly encourage the University System, tribal governments and other interested parties to obtain other private and public funds for continuance of this program beyond July 1, 1993.

I urge your concurrence in my amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 125
(REFERENCE COPY, AS AMENDED)
April 25, 1991

1. Title, line 7.
Following: "PURPOSES"
Insert: "; AND PROVIDING A TERMINATION DATE"

2. Page 2, line 18.
Following: line 17
Insert: "NEW SECTION. Section 3. Termination date. [This act] terminates June 30, 1993."

ANNOUNCEMENTS

Representative Driscoll moved the House recess until 7:15 p.m. Motion carried.

House recessed at 6:15 p.m.

House reconvened at 7:15 p.m. Mr. Speaker Pro Tempore in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/25/91
Correctly engrossed: HB 995.
Examined by the sponsor and found to be correct:
HB 29 - Kimberley
HB 33 - O'Keefe
HB 74 - Strizich
HB 233 - Bardanouve
HB 360 - Harper
HB 539 - Daily
HB 551 - O'Keefe
HB 677 - Benedict
HB 747 - Lee
HB 832 - Ellison
HB 1013 - Whalen
HJR 42 - O'Keefe
HJR 50 - Phillips
HJR 53 - Stang
Signed by the Speaker at 3:00 p.m., 4/25/91: HB 29, HB 33, HB 74, HB 233, HB 360, HB 539, HB 551, HB 677, HB 747, HB 832, HB 1013, HJR 42, HJR 50, HJR 53.

MESSAGES FROM THE SENATE

House amendments to Senate bill concurred in: 4/25/91

SB 472, introduced by Mazurek

Conference committee report #1 adopted: 4/25/91

SB 441, introduced by Mazurek

Free conference committee report #1 adopted: 4/25/91

HB 77, introduced by Quilici
HB 93, introduced by Cobb
HB 580, introduced by Schye
HB 589, introduced by Peck
HB 801, introduced by Menahan
HB 990, introduced by S. Rice
SB 51, introduced by Van Valkenburg
SB 58, introduced by Yellowtail
SB 266, introduced by Grosfield
SB 326, introduced by Waterman
SJR 21, introduced by Thayer

Free conference committee report #2 adopted: 4/25/91

HB 973, introduced by Stang
SB 94, introduced by T. Beck

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Darko moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Gilbert in the Chair.

Mr. Speaker Pro Tempore: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 370 - Representative D. Brown moved consideration of the free conference committee report #1 to SB 370 be placed at the bottom of the second reading board. Motion carried.

HB 559 - Representative Fagg moved the conference committee report #1 to HB 559 be adopted. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet,

O'Keefe, Pavlovich, Peterson, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 75

Noes: Bachini, Barnett, Bergsagel, Boharski, Brooke, Clark, Cody, Cohen, R. DeBruycker, Feland, Foster, Galvin, Peck, Phillips, Ream, Scott, Southworth, Swysgood, Thoft, Thomas, Wyatt.
Total 21

Excused: None.
Total 0

Absent or not voting: Harrington, Kasten, Mercer, Simpkins.
Total 4

HB 691 - Representative Toole moved the conference committee report #1 to HB 691 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, M. Hanson, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wallin, Wanzenried, Wyatt, Mr. Speaker.
Total 76

Noes: Barnett, Bergsagel, Boharski, Clark, R. DeBruycker, Feland, H. S. Hanson, Hayne, R. Johnson, Kasten, Keller, Peterson, Raney, Spring,

Swysgood, Thoft, Thomas, Tunby, Zook.
Total 19

Excused: None.
Total 0

Absent or not voting: Cobb, Gould, Harrington, Mercer, Whalen.
Total 5

SB 436 - Representative Cohen moved the conference committee report #1 to SB 436 be adopted. Motion carried as follows:

Ayes: Bardanouve, Barnett, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cohen, Daily, Driscoll, Ellis, Ellison, Fagg, Foster, Gervais, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Pavlovich, Phillips, Quilici, Ream, J. Rice, Simpkins, Steppler, Strizich, Thomas, Tunby, Wallin,

Zook, Mr. Speaker.
Total 49

Noes: Bachini, Barnhart, Becker, Bergsagel, Boharski, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Feland, Forrester, Galvin, S. J. Hansen, J. Johnson, Larson, Madison, McCaffree, McCulloch, Measure, Nisbet, O'Keefe, Peck, Peterson, Raney, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Swysgood, Thoft, Toole, Wanzenried, Wyatt.
Total 47

Excused: None.
Total 0

Absent or not voting: Beck, Gould, Lee, Whalen.
Total 4

HJR 24 - Representative Ream moved consideration of the free conference committee report #1 to HJR 24 be passed for the day. Motion carried.

HB 285 - Representative Schye moved Governor's amendments to HB 285 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Benedict, Bergsagel, Cobb, Connelly, R. DeBruycker, Feland, McCaffree, T. Nelson, Nisbet, Phillips, Scott, Simpkins, Swysgood, Thoft.
Total 14

Excused: None.
Total 0

Absent or not voting: Gould, Whalen.
Total 2

HB 569 - Representative J. Rice moved Governor's amendments to HB 569 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Beck, Boharski, Brooke, D. Brown, Clark, Cobb, Connelly, Daily, Darko, Davis, J. DeBruycker, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady,

Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Mercer, Messmore, L. Nelson, T. Nelson, Pavlovich, Peterson, Quilici, J. Rice, Schye, Simpkins, Spring, Steppler, Strizich, Thomas, Tunby, Wallin, Wanzenried, Zook.
Total 59

Noes: Bachini, Becker, Benedict, Bergsagel, Bradley, J. Brown, Cocchiarella, Cody, Cohen, Cromley, R. DeBruycker, Dolezal, Dowell, Feland, S. J. Hansen, Harrington, Kasten, Kimberley, McCaffree, Measure, Nisbet, O'Keefe, Peck, Phillips, Raney, Ream, S. Rice, Russell, Scott, Southworth, Squires, Stang, Stickney, Swysgood, Thoft, Toole, Wyatt.
Total 37

Excused: None.
Total 0

Absent or not voting: Barnhart, Menahan, Whalen, Mr. Speaker.
Total 4

HB 977 - Representative Bradley moved Governor's amendments to HB 977 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Feland, Forrester, Foster, Galvin, Gervais, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wanzenried, Wyatt.
Total 68

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Ellis, Ellison, Gilbert, Gould, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Peterson, Phillips, Simpkins, Southworth, Spring, Thomas, Wallin, Zook.
Total 27

Excused: None.
Total 0

Absent or not voting: Barnhart, Fagg, Grinde, Whalen, Mr. Speaker.
Total 5

HB 999 - Representative Peck moved consideration of Governor's amendments to HB 999 be passed to the next agenda. Motion carried.

HB 125 - Representative Gervais moved Governor's amendments to HB 125 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 83

Noes: Barnett, Benedict, Bergsagel, Clark, Cody, R. DeBruycker, Kadas, Nisbet, Peterson, Scott, Spring, Swysgood, Thoft, Wyatt.
Total 14

Excused: None.
Total 0

Absent or not voting: Ellison, Grinde, Whalen.
Total 3

SB 370 - Representative D. Brown moved the free conference committee report #1 to SB 370 be adopted. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Becker, Benedict, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Cromley, Daily, Darko, J. DeBruycker, R. DeBruycker, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wyatt, Zook, Mr. Speaker.
Total 75

Noes: Bardanouve, Beck, Bergsagel, Boharski, Brooke, Cody, Cohen, Davis, Dolezal, Gilbert, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Kadas, Lee, Mercer, Phillips, Raney, Ream, Simpkins, Steppler, Thomas, Wanzenried.
Total 24

Excused: None.
Total 0

Absent or not voting: Whalen.
Total 1

Representative Driscoll moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker Pro Tempore in the Chair. Chairman Gilbert moved the adoption of the committee report. Report adopted. (78-14)

MOTIONS

Representative Driscoll moved the House dissolve the free conference committee on SB 246 and the Speaker be authorized to appoint a new free conference committee to meet with a like committee from the Senate to confer on SB 246. Motion carried.

Representative Menahan moved the House dissolve the conference committee on Governor's amendments to HB 846 and place the Governor's amendments to HB 846 on second reading this legislative day. Motion carried.

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the free conference committee on SB 246:

Representative Wyatt, Chairman
Representative Toole
Representative R. Johnson

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 995 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Bergsagel, Cohen, Fagg, R. Johnson, Lee, T. Nelson.
Total 6

Excused: None.
Total 0

Absent or not voting: Kasten, Scott, Whalen.
Total 3

SB 370, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wyatt, Zook, Mr. Speaker.
Total 71

Noes: Beck, Bergsagel, Boharski, Brooke, Cody, Cohen, Dolezal, Elliott, Ellison, Gilbert, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Kasten, Lee, Measure, Mercer, L. Nelson, T. Nelson, Phillips, Raney, Ream, Simpkins, Spring, Steppler, Thomas, Wanzenried.
Total 28

Excused: None.
Total 0

Absent or not voting: Whalen.
Total 1

HB 559, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Gervais, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Tunby, Wallin, Wanzenried, Wyatt, Mr. Speaker.
Total 74

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, Cohen, Daily, R. DeBruycker, Feland, Foster, Galvin, Grinde, H. S. Hanson, Pavlovich, Quilici, Scott, Southworth, Swysgood, Thoft, Thomas, Toole, Zook.
Total 24

Excused: None.
Total 0

Absent or not voting: Kasten, Whalen.
Total 2

HB 691, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 74

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, R. DeBruycker, Ellis, Ellison, Feland, Foster, Grady, H. S. Hanson, Hayne, R. Johnson, Kasten, Keller, Peck, Peterson, Phillips, Spring, Swysgood, Thoft, Thomas, Tunby.
Total 24

Excused: None.
Total 0

Absent or not voting: T. Nelson, Whalen.
Total 2

SB 436, conference committee report #1, not adopted as follows:

Ayes: Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cohen, Darko, Davis, Driscoll, Ellison, Fagg, Foster, Gervais, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Mercer, Messmore, T. Nelson, Quilici, J. Rice, Simpkins, Steppler, Thomas, Tunby, Wallin, Zook, Mr. Speaker.
Total 39

Noes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Feland, Forrester, Galvin, Grinde, S. J. Hansen, Harrington, Hayne, Hoffman, Keller, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Toole, Wanzenried, Wyatt.
Total 60

Excused: None.
Total 0

Absent or not voting: Whalen.
Total 1

ANNOUNCEMENTS

Representative Driscoll moved the House recess until 9:00 p.m. Motion carried.

House recessed at 8:00 p.m.

House reconvened at 9:10 p.m. Mr. Speaker Pro Tempore in the Chair.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill No. 246
Report No. 1, April 25, 1991

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 246, met, considered, and we recommend that Senate Bill No. 246 (reference copy - salmon) be amended as follows:

1. Title, lines 7 and 8.
Following: "ACTIONS;" on line 7
Strike: remainder of line 7 through "IMMUNITY;" on line 8

2. Title, lines 9 and 10.
Following: "1987;" on line 9
Strike: remainder of line 9 through "MCA;" on line 10

3. Title, line 11.
Strike: "AND AN APPLICABILITY DATE"

4. Page 1, line 20.
Following: "~~1991~~"
Insert: ", except that section 3 is effective July 1, 1993"

5. Page 1, line 23 through page 3, line 1.
Strike: sections 2 through 5 in their entirety
Insert: "NEW SECTION. Section 2. Coordination instruction. If Senate Bill No. 154 is not passed and approved in the form in which it is transmitted by the legislature to the governor, then [this act] is void."
Renumber: subsequent section

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Svrcek, Chair	Wyatt, Chair
Towe	Toole
Nathe	R. Johnson

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Gilbert in the Chair.

Mr. Speaker Pro Tempore: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 846 - Representative Menahan moved Governor's amendments to HB 846 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Steppler, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried,

Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Bergsagel, Cody, R. DeBruycker, Nisbet, Scott, Stang, Stickney.
Total 7

Excused: None.
Total 0

Absent or not voting: Feland, Gould, O'Keefe, Whalen.
Total 4

HB 999 - Representative Peck moved consideration of Governor's amendments to HB 999 be passed for the day. Motion carried.

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Gilbert moved the adoption of the committee report. Report adopted. (92-6)

ANNOUNCEMENTS

Representative Driscoll moved the House recess until 10:15 p.m. Motion carried.

House recessed at 9:30 p.m.

House reconvened at 10:25 p.m. Mr. Speaker in the Chair.

SPECIAL ORDERS OF THE DAY

Pursuant to Title 5, Chapter 12, Montana Code Annotated, Speaker Harper appointed Representative Dorothy Bradley and Representative Thomas Nelson to the Legislative Finance Committee.

The Chairman of the House Appropriations Committee appointed the following members:

Representative Bob Thoft
Representative Tom Zook
Representative Ray Peck
Representative Francis Bardanouve

MESSAGES FROM THE SENATE

Governor's amendments not concurred in and returned to the House: 4/25/91

HB 354, introduced by Schye

HB 995 - Conference committee report #1 adopted by an affirmative roll call vote of two-thirds of all members of the legislature, on April 25, 1991, on third reading by the Senate.

YEAS - 44
NAYS - 5

Free conference committee report #1 not adopted: 4/25/91

SB 246, introduced by Nathe

The Senate, on 4/25/91, dissolved the free conference committee on SB 246 and appointed a new free conference committee to meet with a like committee from the House to confer on SB 246.

President Mazurek appointed the following members:

Senator Svrcek, Chairman
Senator Towe
Senator Nathe

MOTIONS

Representative Driscoll moved the House request permission of the Senate to recess for a period of more than three days subject to the call of the Chair.

Representative Mercer challenged the motion and appealed for a ruling from the Speaker.

Mr. Speaker ruled the motion in order.

Representative Mercer appealed the Speaker's ruling to the Rules Committee.

ANNOUNCEMENTS

Representative Driscoll announced a rules meeting in Room 343 upon recess.

Representative Driscoll moved the House recess at the call of the Chair. Motion carried.

House recessed at 10:40 p.m.

House reconvened at 11:10 p.m. Mr. Speaker in the Chair.

Representative Driscoll announced the Rules Committee upheld the decision of the Speaker.

Thereupon, the motion of Representative Driscoll carried.

MOTIONS

Representative Driscoll moved the Speaker be authorized to appoint a committee to notify the Senate that the House requests permission of the Senate to be in recess for a period of more than three days, subject to the call of the Chair. Motion carried.

SPECIAL ORDERS OF THE DAY

The Speaker appointed a committee consisting of the following members: Representative Darko, Representative D. Brown, Representative Wallin and Representative Hayne. The committee notified the Senate of the House request.

Senators Jacobson, Jergeson and Harp entered the House chamber and requested permission of the House to recess for a period of more than three days subject to the call of the Chair. The committee then departed the House chamber.

MOTIONS

Representative Driscoll moved the House grant consent to the Senate to recess for more than three days and that the Chief Clerk of the House be directed to inform the President of the Senate of this action. Motion carried.

Mr. Speaker Pro Tempore in the Chair at this time.

Representative Driscoll moved the House be in recess subject to the call of the Chair.

Representative Mercer made a substitute motion the House adjourn until Monday, April 29, 1991, at 8:00 a.m. or at an earlier time. Motion failed.

Thereupon, the motion of Representative Driscoll carried.

MESSAGES FROM THE SENATE

The Senate, on April 25, 1991, informed the House of Representatives that the Senate on request of the House granted by motion the House's request to recess for a period of more than three days subject to the call of the Chair.

The Senate, on April 25, 1991, informed the House of Representatives that the Senate, on motion duly carried, recessed for a period of more than three days subject to the call of the Chair.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

House recessed at 11:45 p.m. subject to the call of the Chair.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

NINETIETH LEGISLATIVE DAY

Helena, Montana
April 29, 1991

House Chambers
State Capitol

House convened at 9:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Stickney. Pledge of Allegiance to the Flag.

Roll call. All members present except Steppler, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the eighty-sixth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/29/91
Correctly enrolled: HB 7, HB 268, HB 518, HB 580, HB 589, HB 597, HB 752, HB 801, HB 963, HB 990, HB 995, HJR 47, HJR 49, HJR 54.
Examined by the sponsor and found to be correct:
HB 268 - Measure
HB 518 - Messmore
HB 597 - Galvin
HB 801 - Menahan
HJR 47 - Gould
HJR 48 - Quilici
HJR 49 - Toole
Signed by the Speaker at 7:55 a.m., 4/29/91: SB 18, SB 192, SB 196, SB 272, SB 301, SB 327, SB 425, SB 434, SB 462.
Delivered to the Governor for his approval at 8:45 a.m., 4/29/91: HB 354.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 795
Report No. 1, April 25, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered House Bill 795 and recommend that House Bill 795 (reference copy -- salmon) be amended as follows:

1. Title, line 12.
Strike: "SUBSIDIES TO"

2. Title, line 15.
Strike: "MAKING LOANS"
Insert: "PROVIDING FINANCIAL ASSISTANCE"

3. Title, line 17.
Strike: "LOANS"
Insert: "FINANCIAL ASSISTANCE"

4. Title, line 18.

Strike: "LOANS"
Insert: "PROJECTS"

5. Title, line 19.
Strike: "LOAN"

6. Page 2, line 8.
Strike: "TWO"

7. Page 2, line 15.
Insert: "This bill places the state of Montana in a position of partnership with local governments in meeting infrastructure needs. The primary emphasis of this bill is to assist local governments by:

(1) providing an annual debt service subsidy on local debt created to finance local infrastructure projects;

(2) providing a grant for up to 20% of the costs of local infrastructure projects; or

(3) as a last resort, making loans to finance local infrastructure projects from the proceeds of coal severance tax bonds that may include an annual debt service subsidy on the loans.

The source of revenue to fund the assistance will be the investment income derived from the coal severance tax infrastructure fund.

Money currently transferred from the coal severance tax bond fund into the coal severance tax permanent fund would, under this bill, be transferred to a coal severance tax infrastructure fund within the coal severance tax trust fund. Fifty percent of the money flowing into the coal severance tax infrastructure fund will be retained in that fund, and 50% will be transferred to the coal severance tax permanent fund. The principal funds will be retained in the coal severance tax infrastructure fund; however, deposits to the fund will cease at the end of fiscal year 2012. Interest earnings on the fund will be transferred, as needed, upon appropriation by the legislature, to a special revenue account outside of the coal severance tax trust fund and will be used for community infrastructure assistance under the community infrastructure program."

8. Page 2, line 19.
Strike: "11"
Insert: "13"

9. Page 2, line 23.
Strike: "11"
Insert: "13"

10. Page 3, line 5.
Strike: "DEBT"
Insert: "funding"

11. Page 3, line 6.
Strike: "PRINCIPAL AND INTEREST"

Insert: "debt service"

12. Page 3, line 10.
Strike: "INTEREST"
Insert: "debt service"

13. Page 3, lines 11 and 12.
Following: "BY" on line 11
Strike: remainder of line 11 through "16" on line 12
Insert: "any local debt"

14. Page 4, line 5.
Following: "."
Insert: "The state treasurer shall stop deposits to the coal severance tax infrastructure fund on June 30, 2012."

15. Page 4, line 7.
Following: the first "the"
Insert: "principal amount of the"
Following: "money"
Strike: "DEPOSITED in "
Insert: "transferred from the coal severance tax bond fund to"

16. Page 4, lines 13 through 23.
Following: "fund" on line 13
Strike: remainder of line 13 through "SUBSIDY." on line 23
Insert: "may be used to provide financial assistance for local government infrastructure projects under the Montana Community Infrastructure Act, [sections 1 and 7 through 13]. The state treasurer shall transfer to the infrastructure special revenue account established in [section 11] the amount of interest earnings required to meet the obligations of the state that are payable from the account as authorized by the legislature pursuant to [sections 7 through 13]. Interest earnings not appropriated and transferred to the infrastructure special revenue account must be retained in the coal severance tax infrastructure fund.

(4) Beginning July 1, 2012, the state treasurer shall from time to time transfer to the coal severance tax permanent fund all money in the coal severance tax bond fund except the amount necessary to meet all principal and interest payments on bonds payable from the coal severance tax bond fund on the next two ensuing semiannual payment dates."

17. Page 5, lines 10 through 17.
Following: "(2)" on line 10
Strike: remainder of line 10 through "growth" on line 17
Insert: "finance loans to local governments for infrastructure projects under the Montana Community Infrastructure Act, [sections 1 and 7 through 13]"

18. Page 5, line 21.
Strike: "11"
Insert: "13"

19. Page 6, lines 18 through 22.
Strike: "11" on line 18
Insert: "13"
Following: "." on line 18
Strike: remainder of line 18 through "." on line 22

20. Page 7, line 16.
Strike: "6"
Insert: "7"
Strike: "10"
Insert: "13"

21. Page 8, line 16.
Following: "town,"
Insert: "or"

22. Page 8, line 17.
Following: "government"
Strike: ","
Strike: "OR special purpose district"

23. Page 8, line 19.
Strike: "a loan"
Insert: "financial assistance"

24. Page 8, line 20.
Strike: "11"
Insert: "13"

25. Page 8, line 21.
Strike: "Loans"
Insert: "Financial assistance"
Strike: "made"
Insert: "provided"
Following: "the"
Strike: "direct"

26. Page 9, line 1.
Following: "(b)"
Insert: "wastewater treatment,"
Following: "SANITARY"
Insert: "sewer,"

27. Page 9, line 2.
Strike: "collection and"
Following: "disposal"
Insert: "and separation"
Following: "systems"
Insert: ", including site acquisition, preparation, and monitoring"

28. Page 9, line 7.
Following: ":"
Insert: "or"

29. Page 9, lines 8 through 12.
Following: "(E)" on line 8
Strike: remainder of line 8 through "INTEREST" on line 12
Insert: "airport improvements, if the amount of state and local funding is met by a matching grant of nine times the amount of state and local funding and the financial assistance requested represents not more than 20% of the state and local financial funding"

30. Page 9, line 21.
Strike: "of"
Insert: "containing the"
Following: "projects"
Insert: "and the recommended form of financial assistance for each project"

31. Page 9, line 22.
Following: "."
Insert: "In preparing grant recommendations for the 53rd legislature, the department shall recommend projects that do not exceed $300,000."

32. Page 10, lines 2 through 10.
Following: "PROJECTS" on line 2
Insert: "and the recommended financial assistance"
Following: "." on line 2
Strike: remainder of line 2 through line 10 in its entirety

33. Page 10, line 20.
Strike: "11"
Insert: "13"

34. Page 11, line 2.
Strike: "size"
Insert: "amount"
Strike: "the grant"
Insert: "financial assistance"

35. Page 11, line 4.
Strike: "and"

36. Page 11, line 5.
Following: line 4
Insert: "(h) projects that do not discourage expansion of the tax base; and"
Renumber: subsequent subsection

37. Page 11, lines 7 through 13.
Strike: subsection (3) in its entirety

38. Page 11, lines 14 through 23.
Strike: section 10 in its entirety
Insert: "NEW SECTION. Section 10. Legislative approval -- financial assistance. (1) If financial assistance is in the form of an annual debt service subsidy on local government debt, the legislature shall authorize the department of commerce to enter into a written

agreement with the local government that obligates the state to provide semiannual payments in a specified amount, over a period not to exceed 30 years, established in the bill authorizing the financial assistance. The obligation established in the agreement is a general obligation of the state and is payable from any available source, including the infrastructure special revenue account established in [section 11].

(2) If financial assistance is in the form of a matching grant, the legislature shall appropriate the amount of the grant from the infrastructure special revenue account.

(3) If financial assistance is in the form of a loan funded from the proceeds of coal severance tax bonds, the legislature shall authorize the board of examiners to issue coal severance tax bonds to finance the loan as provided in 17-5-706. If an annual debt service subsidy on the loan is provided, the legislature shall authorize the department of commerce to enter into a written agreement with the local government that obligates the state to provide semiannual payments in a specified amount, over a period not to exceed 30 years, established in the bill authorizing the financial assistance. The obligation established in the agreement is a general obligation of the state and is payable from any available source, including the infrastructure special revenue account established in [section 11].

(4) The legislature may not authorize entering into an agreement to provide an annual debt service subsidy as provided in subsection (1) or (3) unless the aggregate amount of anticipated earnings on the coal severance tax infrastructure fund in each year available for transfer to the infrastructure special revenue account is equal to the sum of 1 1/2 times the annual amount of outstanding obligations and the proposed obligations payable from the special revenue account.

NEW SECTION. Section 11. Infrastructure special revenue account. (1) There is an infrastructure special revenue account in the state special revenue fund.

(2) The state treasurer shall from time to time transfer from the earnings on the coal severance tax infrastructure fund to the infrastructure special revenue account the amount necessary to meet the obligations of the state payable from the account.

(3) The state treasurer may transfer funds in the infrastructure special revenue account to the department of commerce for distribution to a local government or to a debt service fund created pursuant to 17-5-708.

NEW SECTION. Section 12. Financial assistance available. (1) The following types of financial assistance are available under the Montana Community Infrastructure Act:

(a) an annual debt service subsidy on local government debt created to finance eligible local infrastructure projects;

(b) grants for up to 20% of the costs of local infrastructure projects; and

(c) loans to finance local infrastructure projects from the proceeds of coal severance tax bonds that may include an annual debt service subsidy on the loans.

(2) Financial assistance described in subsection (1)(c) is available to a local government only if the assistance described in subsection (1)(a), taking into consideration the maximum debt service subsidy available, or if the availability of a grant described in subsection (1)(b) will not enable the local government to finance the proposed project.

(3) In reviewing the requests for financial assistance for eligible projects and making recommendations to the governor, the department of commerce shall attempt to allocate 40% of the funds available for financial assistance to projects funded under subsection (1)(a) and 60% of the funds available for financial assistance to projects funded under subsection (1)(b). If the department recommends financing under subsection (1)(c), the amount of funds available under subsections (1)(a) and (1)(b) must be reduced proportionally."

Renumber: subsequent sections

39. Page 11, line 24.
Strike: "Administration of loans"
Insert: "Infrastructure assistance"

40. Page 12, line 1.
Strike: "loan program"
Insert: "Montana Community Infrastructure Act"

41. Page 12, line 2.
Strike: "11"
Insert: "13"
Strike: "and"

42. Page 12, line 3.
Following: line 2
Insert: "(2) make loans approved by the legislature pursuant to [sections 7 through 13]; and"
Renumber: subsequent subsection

43. Page 25, line 16.
Strike: "$225,000"
Insert: "$500,000"

44. Page 25, line 17.
Strike: "17-5-703(3)"
Insert: "[section 11]"

45. Page 25, line 19.
Following: line 18
Insert: "matching funds for"

46. Page 25, line 20.
Following: "]"

Insert: "prioritized as provided in [section 9(2)]"

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
S. Rice, Chair	Doherty, Chair
Harper	Towe

MESSAGES FROM THE SENATE

The Senate, on 4/25/91, dissolved the conference committee on Senate amendments to HB 846.

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 26, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 139, 152, 155, 528, 738, 753, 781 and 790 on April 26, 1991.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 29, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 24, 25, 26, 244, 306, 451, 471, 500, 511, 567, 650, 914, 970, 976, 993 and 1012 on April 27, 1991.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 26, 1991

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 365, "AN ACT TO APPROPRIATE MONEY TO MONTANA STATE UNIVERSITY TO PROVIDE SUPPORT FOR APPLIED GENETIC ENGINEERING TECHNOLOGY RESEARCH AND DEVELOPMENT TO ENHANCE MONTANA AGRICULTURAL PRODUCTS; AND TO PROVIDE COORDINATION INSTRUCTIONS."

House Bill 365 provides important support for applied genetic engineering technology research and development to enhance Montana's agricultural products.

In fact, the need for funds to provide these services is too important to be tied to a source of funding that is questionable at least and controversial throughout the legislative process.

I, therefore, amend House Bill 365 to remove the language coordinating it with Senate Bill 461.

I urge your concurrence with these amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 365
(REFERENCE COPY, AS AMENDED)
April 26, 1991

1. Title, lines 10 through 11.
Following: "PRODUCTS"
Strike: "; AND TO PROVIDE COORDINATION INSTRUCTIONS"

2. Page 1, lines 24 and 25 through page 2, line 1.
Strike: section 2 in its entirety

The Honorable Hal Harper April 26, 1991
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol

Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 684, "AN ACT ~~APPROPRIATING $1 MILLION FROM THE LOCAL IMPACT ACCOUNT TO BE USED BY JUNE 30, 1993, FOR A STUDY OF NATURAL RESOURCES AND COMMUNITY INFRASTRUCTURE AND FOR A CLEAN FUELS INFORMATION CENTER;~~ PROVIDING AN APPROPRIATION FOR $500,000 FOR A CLEAN FUELS INFORMATION CENTER; PROVIDING AN APPROPRIATION TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION TO MAKE A LOAN TO THE MHD-CORETTE PROJECT; PROVIDING FOR MATCHING REQUIREMENTS; DESIGNATING THE PURPOSE FOR WHICH THE LOAN MUST BE USED; PROVIDING FOR LOAN REPAYMENT; PROVIDING COORDINATION INSTRUCTIONS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

House Bill 684 provides important resources for a clean fuels information center.

In fact, the need for funds to provide these services is too important to be tied to a source of funding that is questionable at least and controversial throughout the legislative process.

I, therefore, amend House Bill 684 to remove language coordinating it with Senate Bill 461.

I urge your concurrence with these amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 684
(REFERENCE COPY, AS AMENDED)
April 26, 1991

1. Title, lines 13 through 14.
Following: "REPAYMENT;"
Strike: "PROVIDING COORDINATION INSTRUCTIONS;"

2. Page 3, lines 22 through 24.
Strike: section 2 in its entirety
Renumber: subsequent section

Representative Driscoll moved the House recess until 10:30 a.m. Motion carried.

House recessed at 9:05 a.m.

House reconvened at 10:35 a.m. Mr. Speaker in the Chair.

MOTIONS

Representative Driscoll moved HB 509 be taken from the Committee on State Administration and placed on second reading this legislative day. Motion carried.

Representative Driscoll moved HB 959 be taken from the Committee on Taxation and be placed on second reading this legislative day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Stang in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 795 - Representative Harper moved the free conference committee report #1 to HB 795 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 60

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cohen, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 39

Excused: Steppler.
Total 1

Absent or not voting: None.
Total 0

HJR 24 - Representative Ream moved the free conference committee report # 1 to HJR 24 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly,

Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Benedict, Bergsagel, Boharski, Cobb, R. DeBruycker, Ellison, Feland, Peterson, Swysgood, Thoft.
Total 10

Excused: Steppler.
Total 1

Absent or not voting: Grinde.
Total 1

Representative Driscoll moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Stang moved the adoption of the committee report. Report adopted. (68-27)

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 29, 1991

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 46, "AN ACT REVISING THE MONTANA SMALL BUSINESS LICENSING COORDINATION ACT; ~~ESTABLISHING A BUSINESS REGISTRATION AND LICENSING SYSTEM;~~ ESTABLISHING A BOARD OF REVIEW; AMENDING SECTIONS 30-16-102, 30-16-103, ~~30-16-202, AND 30-16-203,~~ AND 30-16-201, MCA; ~~REPEALING SECTION 30-16-201, MCA;~~ AND PROVIDING AN IMMEDIATE EFFECTIVE ~~DATES~~ DATE."

House Bill 46 improves the "Montana Small Business Licensing Coordination Act" by statutorily designating the Department of Commerce as the agency responsible for administering the Small Business Licensing

Coordination Center, and requiring the Department to present a report to the 1993 Legislative Session on how to improve the efficiency and effectiveness of the State's business licensing systems.

However, the legislation proposes to establish an independent board to oversee the administration of the Department of Commerce. This proposal is in conflict with existing statutory and constitutional directives on administration of the executive branch of state government. Appointing members of one executive branch agency to oversee the responsibilities of another agency is poor management.

The Department of Commerce, with these amendments, must report to the 1993 legislative session. The addition of a formal layer of board review in the interim will divert resources.

Montana law and the constitution provide that the Governor is responsible to coordinate and assure cooperation between the various agencies of state government. Further, section 30-16-203, MCA, requires all state agencies to report to the coordination center on any additions or modifications to their license or permit requirements.

For these reasons I urge your concurrence with these amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 46
(REFERENCE COPY, AS AMENDED)
April 29, 1991

1. Title, lines 6 and 7.
Following: "~~SYSTEM;~~"
Strike: "ESTABLISHING A BOARD OF REVIEW;

2. Page 4, lines 8 through 10.
Following: line 7
Strike: subsection (1) in its entirety
Renumber: subsequent subsections

3. Page 9, line 6 through page 10, line 15.
Strike: sections 4 and 5 in their entirety
Renumber: subsequent sections

Page 11, line 16.
Following: "THROUGH"
Strike: "6"
Insert: "4"

Page 12, line 5.
Following: "3"

Strike: "through 6"
Strike: "are"
Insert: "is"
Strike: "sections"
Insert: "section"
Strike: "through 6"

MOTIONS

Representative Driscoll moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on HB 977. Motion carried.

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the free conference committee on HB 977:

Representative Bradley, Chairman
Representative J. Johnson
Representative Thomas

SPECIAL ORDERS OF THE DAY

Pursuant to Title 5, chapter 18, part 2, MCA, Mr. Speaker appointed Representative Dorothy Cody and Representative Ernest Bergsagel to the Coal Tax Oversight Subcommittee.

Pursuant to Chapter 630, Montana Laws of 1989, Mr. Speaker appointed Representative Angela Russell and Representative Rolph Tunby to the Committee on Indian Affairs.

Pursuant to section 85-2-105, MCA, Mr. Speaker appointed Representative Vivian Brooke, Representative Russell Fagg, Representative Thomas Lee, and Representative Hal Harper to the Water Policy Committee.

Pursuant to Chapter 465, Laws of 1991, Mr. Speaker appointed Representative Ed Dolezal and Representative Jerry Driscoll to the Joint Select Committee on Workers' Compensation.

Pursuant to section 23-5-1008, MCA, Mr. Speaker appointed Representative Linda Nelson and Representative Norm Wallin to the Legislative Liaison Committee for the Montana Lottery.

Pursuant to Title 5, Chapter 18, Montana Code Annotated, Mr. Speaker appointed Representative Dan Harrington, Representative Bob Gilbert, Representative Marian Hanson, Representative Bob Ream, Representative Ted Schye, and Representative Mike Foster to the Revenue Oversight Committee.

Pursuant to Title 5, Chapter 14, MCA, Mr. Speaker appointed Representative Jessica Stickney, Representative Harriet Hayne and Representative Royal Johnson to the Administrative Code Committee.

Mr. Speaker reappointed Representative Carolyn Squires to another term to the Administrative Code Committee.

Representative Driscoll moved the House recess until 1:30 p.m. Motion carried.

House recessed at 11:35 a.m.

House reconvened at 1:30 p.m. Mr. Speaker in the Chair.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/29/91

HB 822, introduced by Kadas
HJR 56, introduced by Russell

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 4/29/91

HJR 55, introduced by Dolezal

Governor's amendments concurred in: 4/29/91

HB 125, introduced by Gervais
HB 285, introduced by Schye
HB 340, introduced by Ream
HB 746, introduced by Russell
HB 804, introduced by Menahan
HB 857, introduced by O'Keefe
HB 977, introduced by Bradley
SB 445, introduced by Doherty

Conference committee report #1 adopted: 4/29/91

HB 691, introduced by Toole
SB 436, introduced by B. Brown

Free conference committee report #1 adopted: 4/29/91

SB 246, introduced by Nathe

The Senate, on 4/29/91, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 977.

President Mazurek appointed the following members:

Senator Waterman, Chairman
Senator Franklin
Senator Hager

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Stang in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 246 - Representative Wyatt moved the free conference committee report #1 to SB 246 be adopted. Motion carried as follows:

Ayes: Bardanouve, Barnett, Benedict, Bergsagel, Bradley, D. Brown, Clark, Cobb, Daily, Darko, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Knox, Larson, Lee, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, J. Rice, S. Rice, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 63

Noes: Bachini, Barnhart, Beck, Becker, Boharski, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kilpatrick, Kimberley, Madison, McCaffree, McCulloch, Measure, Nisbet, Raney, Ream, Russell, Schye, Scott, Southworth, Whalen.
Total 36

Voted Absentee: Steppler, Aye.

Excused: None.
Total 0

Absent or not voting: Strizich.
Total 1

Representative Darko moved consideration of HB 509 and HB 959 be placed at the bottom of the second reading board. Motion carried.

HB 46 - Representative Galvin moved Governor's amendments to HB 46 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips,

Quilici, Raney, Ream, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Bergsagel, R. DeBruycker, S. Rice.
Total 3

Excused: Steppler.
Total 1

Absent or not voting: J. Rice.
Total 1

HB 684 - Representative Driscoll moved Governor's amendments to HB 684 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stang, Stickney, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: S. J. Hansen, Nisbet, Ream, Strizich.
Total 4

Excused: Becker, Steppler.
Total 2

Absent or not voting: Bardanouve, Daily, Gilbert, Hayne, Kadas, Lee, McCarthy, Menahan, Pavlovich, Squires, Swysgood.
Total 11

HB 999 - Representative Peck moved Governor's amendments to HB 999 be not concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott,

Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Voted Absentee: Becker, Aye.

Excused: Steppler.
Total 1

Absent or not voting: Bardanouve, Hayne, Lee.
Total 3

HB 365 - Representative Harper moved Governor's amendments to HB 365 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Nisbet.
Total 1

Voted Absentee: Becker, Aye.

Excused: Steppler.
Total 1

Absent or not voting: Grinde, Kadas, McCarthy, Menahan.
Total 4

SB 445 - Representative McCarthy moved Governor's amendments to SB 445 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R.

Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 96

Noes: Boharski, Wyatt.
Total 2

Voted Absentee: Becker, Aye.

Excused: Steppler.
Total 1

Absent or not voting: Gould.
Total 1

House stood at ease at 2:15 p.m. House reconvened at 4:45 p.m.

HB 509 - Representative Kadas moved HB 509, second reading copy, be amended as follows (amendment #1):

1. Title, lines 8 and 9.
Following: ";" on line 8
Strike: remainder of line 8 through "PLAN;" on line 9

2. Title, line 11.
Following: "PLANS;"
Insert: "PROVIDING PAY ADJUSTMENTS FOR CERTAIN ELECTED AND APPOINTED OFFICIALS AND CERTAIN OTHER STATE EMPLOYEES; REQUIRING THAT EACH AGENCY NEGOTIATE SHIFT DIFFERENTIALS AND HAZARDOUS DUTY PAY WITH EMPLOYEES;"

3. Title, line 13.
Following: "SECTIONS"
Insert: "2-16-405,"
Strike: "2-18-103,"

4. Title, line 14.
Strike: "AND"
Following: "2-18-703,"
Insert: "5-2-301, 13-37-106, AND 15-2-102,"

5. Title, line 15.
Strike: "AN IMMEDIATE"
Following: "EFFECTIVE"
Strike: "DATE"
Insert: "DATES"

6. Page 5, line 5 through page 6, line 10.
Strike: section 2 in its entirety
Renumber: subsequent sections

7. Page 6, line 20.
Following: "2-18-104"
Insert: "and excluding employees compensated under 2-18-313, 2-18-314, and 2-18-315"

8. Page 6, line 23.
Strike: "Pay"
Insert: "Except as provided in 2-18-305(4) and [section 11], pay"

9. Page 7, line 17 through page 12, line 19.
Strike: section 4 in its entirety
Insert: "Section 3. Section 2-18-303, MCA, is amended to read:

"2-18-303. Procedures for utilizing pay schedules. (1) The pay schedules provided in 2-18-312 must be implemented as follows:

(a) The pay schedules provided in 2-18-312 indicate the ~~annual compensation~~ entry salary and market salary for the fiscal years ending June 30, ~~1990~~ 1992, and June 30, ~~1991~~ 1993, for each grade ~~and step~~ for positions classified under the provisions of part 2 of this chapter.

(b) Each ~~new~~ employee ~~shall advance from step 1 to step 2 of a grade after successfully completing 6 months of probationary service. The anniversary date of an employee must be established at the end of the probationary period in accordance with rules promulgated by the department~~ newly hired by the state of Montana must be hired at the entry rate, except as provided in subsections (7) and (8).

(c) ~~(i) The compensation of each employee~~ Except as provided in subsection (1)(g), on the first day of the first complete pay period in fiscal year ~~1990~~ 1992, ~~is that amount corresponding to the grade and step occupied~~ each employee hired before July 1, 1991, is entitled to the amount of his base salary as it was on ~~the last day of fiscal year 1989.~~ June 30, 1991, plus the following increases:

(i) an increase of 60 cents an hour above the employee's base salary as it was on June 30, 1991; and

(ii) an additional increase of 1/8 of 1% of his base salary as it is after the 60-cent-an-hour increase, for each full percentage point that the employee's base salary, as it is after the 60-cent-an-hour increase, is below the market salary for the employee's assigned grade.

(d) Except as provided in subsection (1)(g), on the first day of the first pay period in fiscal year 1993, each employee hired before July 1, 1992, is entitled to the amount of the employee's base salary as it was on June 30, 1992, plus an increase calculated as follows:

(i) add 55 cents an hour to the employee's base salary as it was on June 30, 1992; then

(ii) add an amount equal to 1/8 of 1% of the amount computed in subsection (1)(d)(i) for each full percentage point that the employee's base salary, as it is after the 55-cent-an-hour increase, is below the market salary for the employee's assigned grade; then

(iii) from the sum calculated in subsection (1)(d)(ii), subtract 25 cents an hour.

~~(ii)~~(e) ~~The compensation of each employee~~ Except as provided in subsection (1)(g), on the first day of the first pay period in ~~fiscal year 1991~~ January 1993, ~~is that amount corresponding to the grade and step occupied~~ each employee hired before January 1, 1993, is entitled to the amount of the employee's base salary as it was on ~~the last day of fiscal year 1990.~~ December 31, 1992, plus an increase of 25 cents an hour above the employee's base salary as it was on December 31, 1992.

(f) The department shall determine the number of full percentage points that an employee's base salary is below the market salary by dividing the employee's base salary by the market salary for his assigned grade, multiplying the result by 100, and subtracting that total from 100.

(g) An employee's base salary may be no less than the entry salary for his assigned grade.

(h) Except as provided in subsections (5) through (8), an employee's base salary may not exceed the market salary by a percentage greater than the percentage that the market salary for the employee's grade exceeds the entry salary for that grade. The salary of an employee may not be reduced because of this provision.

(2) The pay schedules provided in 2-18-312 and the provisions of subsection (1) do not apply to those teachers, liquor store occupations, or blue-collar occupations compensated under the pay schedules provided in 2-18-313 through 2-18-315.

(3) The pay schedules provided in 2-18-313 through 2-18-315 must be implemented as follows:

(a) (i) The pay schedules provided for in 2-18-313 indicate the annual compensation for the contracted school term for teachers employed under the authority of the department of institutions or the department of family services for fiscal years ~~1990~~ 1992 and ~~1991~~ 1993.

~~(ii) On the first day of the first pay period in July 1989, each teacher shall advance three steps on the appropriate pay schedule for fiscal year 1990 from the step that he occupied on June 30, 1989.~~

~~(iii)~~(ii) The compensation of each teacher on the first day of the first pay period in July ~~1990~~ 1991 is that amount corresponding to ~~his~~ the teacher's level of academic achievement and the step occupied on June 30, ~~1990~~ 1991.

(iii) The compensation of each teacher on the first day of the first pay period in July 1992 is that amount shown in 2-18-313 that corresponds to the teacher's level of academic achievement and years of experience.

(b) (i) The pay schedules provided in 2-18-314 indicate the maximum hourly compensation for fiscal years ending June 30,

~~1990~~ 1992, and June 30, ~~1991~~ 1993, for those employees in liquor store occupations who have collectively bargained separate classification and pay plans.

(ii) The compensation of each employee on the first day of the first pay period in fiscal year ~~1990~~ 1992 or ~~1991~~ 1993 is that amount corresponding to the grade occupied on the last day of the preceding fiscal year.

(c) (i) The pay schedules provided in 2-18-315 indicate the maximum hourly compensation for fiscal years ending June 30, ~~1990~~ 1992, and June 30, ~~1991~~ 1993, for employees in apprentice trades and crafts and other blue-collar occupations recognized in the state blue-collar classification plan who are members of units that have collectively bargained separate classification and pay plans.

(ii) The compensation of each employee on the first day of the first pay period in fiscal year ~~1990~~ 1992 or ~~1991~~ 1993 is that amount corresponding to the grade occupied on the last day of the preceding fiscal year.

(4) (a) (i) A member of a bargaining unit may not receive the amounts indicated in the respective pay schedules provided in 2-18-312 through 2-18-315 until the bargaining unit of which he is a member ratifies a completely integrated collective bargaining agreement covering the biennium ending June 30, ~~1991~~ 1993.

(ii) If negotiation and ratification of a completely integrated collective bargaining agreement as required by subsection (4)(a)(i) are not completed by July 1, ~~1989~~ 1991, retroactivity to that date may be negotiated.

(iii) If negotiation and ratification of a completely integrated collective bargaining agreement as required by subsection (4)(a)(i) are not completed by July 1, ~~1989~~ 1991, members of the bargaining unit involved must continue to receive the compensation they were receiving as of June 30, ~~1989~~ 1991.

(b) Methods of administration not inconsistent with the purpose of this part and necessary to properly implement the pay schedules provided in 2-18-312 through 2-18-315 may be provided for in collective bargaining agreements.

(5) The current wage or salary of an employee may not be reduced by the implementation of the pay schedules provided for in 2-18-312 through 2-18-315.

(6) The department may authorize a separate pay schedule for medical doctors if the rates provided in 2-18-312 are not sufficient to attract and retain fully licensed and qualified physicians at the state institutions.

(7) The department may develop programs that enable the department to mitigate problems associated with difficult recruitment, retention, transfer, or other exceptional circumstances. Insofar as the program may apply to employees within a collective bargaining unit, it is a negotiable subject under 39-31-305. To maintain the internal equity of the statewide pay plan provided for in 2-18-312 and subsection (1) of this section, when a majority of registered nurses classified under the provisions of part 2 of this chapter have been granted a pay plan exception through a collectively bargained agreement, then all other classified registered

nurses, including those employed in the university system, must be paid a salary equivalent to the salary negotiated in the negotiated agreement, except that in no case may the salary of a classified registered nurse be reduced by this provision.

(8) The department shall review the competitiveness of the compensation provided to ~~registered nurses and other~~ all occupations under this part. If the department finds that substantial problems exist with recruitment and retention because of inadequate salaries when compared to competing employers, the department may establish criteria allowing an adjustment in pay or classification to mitigate the problems. Insofar as these adjustments may apply to employees within a collective bargaining unit, the implementation of these adjustments is a negotiable subject under 39-31-305.""

10. Page 14, line 4.
Strike: "or"
Insert: "and"

11. Page 14, line 16.
Following: "(c)"
Strike: "and (1)(d)"
Insert: "through (1)(e)"

12. Page 14, line 18.
Strike: "2-18-213"
Insert: "2-18-313"

13. Page 19, line 10 through page 29, line 7.
Strike: sections 8 through 10 in their entirety
Insert: "Section 7. Section 2-18-313, MCA, is amended to read:

"2-18-313. Teachers' pay schedules. (1) (a) The 12-month pay schedule for teachers for fiscal year ~~1990~~ 1992 is as follows:

Annual Hours -- 2080 Note: Includes Insurance
Term -- Twelve Months Matrix Type -- Annual

	Education Level					
STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
~~1~~	~~21,228~~	~~21,870~~	~~22,529~~	~~22,850~~	~~23,173~~	~~23,832~~
~~2~~	~~21,983~~	~~22,699~~	~~23,416~~	~~23,775~~	~~24,134~~	~~24,859~~
~~3~~	~~22,738~~	~~23,529~~	~~24,302~~	~~24,706~~	~~25,110~~	~~25,905~~
~~4~~	~~23,494~~	~~24,362~~	~~25,206~~	~~25,652~~	~~26,097~~	~~26,949~~
~~5~~	~~24,247~~	~~25,206~~	~~26,115~~	~~26,598~~	~~27,084~~	~~27,995~~
~~6~~	~~25,016~~	~~26,060~~	~~27,027~~	~~27,548~~	~~28,071~~	~~29,041~~
~~7~~	~~25,786~~	~~26,908~~	~~27,934~~	~~28,496~~	~~29,056~~	~~30,083~~
~~8~~	~~26,561~~	~~27,760~~	~~28,847~~	~~29,446~~	~~30,045~~	~~31,127~~
~~9~~	~~27,335~~	~~28,610~~	~~29,756~~	~~30,392~~	~~31,033~~	~~32,172~~
~~10~~	~~28,108~~	~~29,464~~	~~30,664~~	~~31,340~~	~~32,018~~	~~33,218~~
~~11~~	~~28,884~~	~~30,286~~	~~31,571~~	~~32,288~~	~~33,005~~	~~34,260~~
~~12~~	~~28,884~~	~~30,286~~	~~31,571~~	~~32,288~~	~~33,005~~	~~34,260~~
~~13~~	~~28,884~~	~~30,286~~	~~31,571~~	~~32,288~~	~~33,005~~	~~34,260~~
1	23,456	24,115	24,757	25,078	25,401	26,060
2	24,211	24,927	25,644	26,003	26,366	27,109
3	24,966	25,757	26,539	26,953	27,367	28,182

4	25,722	26,600	27,465	27,922	28,378	29,252
5	26,482	27,465	28,397	28,892	29,390	30,324
6	27,270	28,341	29,332	29,866	30,402	31,396
7	28,060	29,210	30,261	30,837	31,411	32,464
8	28,854	30,083	31,197	31,811	32,425	33,534
9	29,647	30,954	32,129	32,781	33,438	34,605
10	30,440	31,830	33,060	33,753	34,447	35,677
11	31,235	32,672	33,989	34,724	35,459	36,746
12	31,235	32,672	33,989	34,724	35,459	36,746
13	31,235	32,672	33,989	34,724	35,459	36,746

(b) The 9-month pay schedule for teachers for fiscal year ~~1990~~ 1992 is as follows:

Annual Hours -- ~~1480~~ 1560 Note: Includes Insurance
Term -- Nine Months Matrix Type -- Annual

	Education Level					
STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
~~1~~	~~16,451~~	~~16,933~~	~~17,427~~	~~17,668~~	~~17,910~~	~~18,404~~
~~2~~	~~17,017~~	~~17,554~~	~~18,092~~	~~18,361~~	~~18,631~~	~~19,168~~
~~3~~	~~17,583~~	~~18,176~~	~~18,757~~	~~19,056~~	~~19,352~~	~~19,933~~
~~4~~	~~18,151~~	~~18,801~~	~~19,422~~	~~19,749~~	~~20,074~~	~~20,697~~
~~5~~	~~18,715~~	~~19,422~~	~~20,087~~	~~20,441~~	~~20,796~~	~~21,463~~
~~6~~	~~19,283~~	~~20,047~~	~~20,755~~	~~21,136~~	~~21,518~~	~~22,228~~
~~7~~	~~19,846~~	~~20,667~~	~~21,418~~	~~21,829~~	~~22,239~~	~~22,990~~
~~8~~	~~20,414~~	~~21,291~~	~~22,086~~	~~22,524~~	~~22,963~~	~~23,754~~
~~9~~	~~20,980~~	~~21,913~~	~~22,751~~	~~23,217~~	~~23,685~~	~~24,519~~
~~10~~	~~21,546~~	~~22,537~~	~~23,416~~	~~23,910~~	~~24,406~~	~~25,304~~
~~11~~	~~22,113~~	~~23,139~~	~~24,079~~	~~24,606~~	~~25,144~~	~~26,085~~
~~12~~	~~22,113~~	~~23,139~~	~~24,079~~	~~24,606~~	~~25,144~~	~~26,085~~
~~13~~	~~22,113~~	~~23,139~~	~~24,079~~	~~24,606~~	~~25,144~~	~~26,085~~
1	19,202	19,710	20,231	20,485	20,740	21,261
2	19,799	20,365	20,932	21,215	21,500	22,066
3	20,395	21,020	21,633	21,948	22,260	22,872
4	20,994	21,679	22,334	22,678	23,021	23,678
5	21,589	22,334	23,035	23,408	23,782	24,485
6	22,187	22,993	23,739	24,140	24,543	25,291
7	22,781	23,646	24,438	24,871	25,303	26,095
8	23,379	24,304	25,142	25,603	26,066	26,900
9	23,976	24,959	25,843	26,334	26,827	27,721
10	24,573	25,617	26,544	27,064	27,599	28,570
11	25,170	26,252	27,246	27,815	28,397	29,413
12	25,170	26,252	27,246	27,815	28,397	29,413
13	25,170	26,252	27,246	27,815	28,397	29,413

(2) (a) The 12-month pay schedule for teachers for the first 6 months of fiscal year ~~1991~~ 1993 is as follows:

Annual Hours -- 2080 Note: Includes Insurance
Term -- Twelve Months Matrix Type -- Annual

	Education Level					
STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
~~1~~	~~22,028~~	~~22,670~~	~~23,329~~	~~23,650~~	~~23,973~~	~~24,632~~
~~2~~	~~22,783~~	~~23,499~~	~~24,216~~	~~24,575~~	~~24,938~~	~~25,681~~
~~3~~	~~23,538~~	~~24,329~~	~~25,111~~	~~25,525~~	~~25,939~~	~~26,754~~
~~4~~	~~24,294~~	~~25,172~~	~~26,037~~	~~26,494~~	~~26,950~~	~~27,824~~
~~5~~	~~25,054~~	~~26,037~~	~~26,969~~	~~27,464~~	~~27,962~~	~~28,896~~

~~6~~	~~25,842~~	~~26,913~~	~~27,904~~	~~28,438~~	~~28,974~~	~~29,968~~
~~7~~	~~26,632~~	~~27,782~~	~~28,833~~	~~29,409~~	~~29,983~~	~~31,036~~
~~8~~	~~27,426~~	~~28,655~~	~~29,769~~	~~30,383~~	~~30,997~~	~~32,106~~
~~9~~	~~28,219~~	~~29,526~~	~~30,701~~	~~31,353~~	~~32,010~~	~~33,177~~
~~10~~	~~29,012~~	~~30,402~~	~~31,632~~	~~32,325~~	~~33,019~~	~~34,249~~
~~11~~	~~29,807~~	~~31,244~~	~~32,561~~	~~33,296~~	~~34,031~~	~~35,318~~
~~12~~	~~29,807~~	~~31,244~~	~~32,561~~	~~33,296~~	~~34,031~~	~~35,318~~
~~13~~	~~29,807~~	~~31,244~~	~~32,561~~	~~33,296~~	~~34,031~~	~~35,318~~
1	24,260	24,919	25,561	25,882	26,205	26,864
2	25,015	25,731	26,448	26,807	27,170	27,913
3	25,770	26,561	27,343	27,757	28,171	28,986
4	26,526	27,404	28,269	28,726	29,182	30,056
5	27,286	28,269	29,201	29,696	30,194	31,128
6	28,074	29,145	30,136	30,670	31,206	32,200
7	28,864	30,014	31,065	31,641	32,215	33,268
8	29,658	30,887	32,001	32,615	33,229	34,338
9	30,451	31,758	32,933	33,585	34,242	35,409
10	31,244	32,634	33,864	34,557	35,251	36,481
11	32,039	33,476	34,793	35,528	36,263	37,550
12	32,039	33,476	34,793	35,528	36,263	37,550
13	32,039	33,476	34,793	35,528	36,263	37,550

(b) The 9-month pay schedule for teachers for the first 6 months of fiscal year ~~1991~~ 1993 is as follows:

Annual Hours -- ~~1480~~ 1560 Note: Includes Insurance

Term -- Nine Months Matrix Type -- Annual

	Education Level					
STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
~~1~~	~~17,251~~	~~17,733~~	~~18,227~~	~~18,468~~	~~18,710~~	~~19,204~~
~~2~~	~~17,817~~	~~18,354~~	~~18,892~~	~~19,161~~	~~19,431~~	~~19,968~~
~~3~~	~~18,383~~	~~18,976~~	~~19,557~~	~~19,856~~	~~20,152~~	~~20,733~~
~~4~~	~~18,951~~	~~19,601~~	~~20,222~~	~~20,549~~	~~20,874~~	~~21,497~~
~~5~~	~~19,515~~	~~20,222~~	~~20,887~~	~~21,241~~	~~21,596~~	~~22,263~~
~~6~~	~~20,083~~	~~20,847~~	~~21,555~~	~~21,936~~	~~22,318~~	~~23,028~~
~~7~~	~~20,646~~	~~21,467~~	~~22,218~~	~~22,629~~	~~23,039~~	~~23,790~~
~~8~~	~~21,214~~	~~22,091~~	~~22,886~~	~~23,324~~	~~23,763~~	~~24,554~~
~~9~~	~~21,780~~	~~22,713~~	~~23,551~~	~~24,017~~	~~24,485~~	~~25,333~~
~~10~~	~~22,346~~	~~23,337~~	~~24,216~~	~~24,710~~	~~25,217~~	~~26,138~~
~~11~~	~~22,913~~	~~23,939~~	~~24,882~~	~~25,422~~	~~25,974~~	~~26,938~~
~~12~~	~~22,913~~	~~23,939~~	~~24,882~~	~~25,422~~	~~25,974~~	~~26,938~~
~~13~~	~~22,913~~	~~23,939~~	~~24,882~~	~~25,422~~	~~25,974~~	~~26,938~~
1	19,850	20,358	20,879	21,133	21,388	21,909
2	20,447	21,013	21,580	21,863	22,148	22,714
3	21,043	21,668	22,281	22,596	22,908	23,520
4	21,642	22,327	22,982	23,326	23,669	24,326
5	22,237	22,982	23,683	24,056	24,430	25,133
6	22,835	23,641	24,387	24,788	25,191	25,939
7	23,429	24,294	25,086	25,519	25,951	26,743
8	24,027	24,952	25,790	26,251	26,714	27,548
9	24,624	25,607	26,491	26,982	27,475	28,369
10	25,221	26,265	27,192	27,712	28,247	29,218
11	25,818	26,900	27,894	28,463	29,045	30,061
12	25,818	26,900	27,894	28,463	29,045	30,061
13	25,818	26,900	27,894	28,463	29,045	30,061

(3) (a) The 12-month pay schedule for teachers for the last 6 months of fiscal year 1993 is as follows:

Annual Hours -- 2080 Note: Includes Insurance
Term -- Twelve Months Matrix Type -- Annual

	Education Level					
STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
1	24,780	25,439	26,081	26,402	26,725	27,384
2	25,535	26,251	26,968	27,327	27,690	28,433
3	26,290	27,081	27,863	28,277	28,691	29,506
4	27,046	27,924	28,789	29,246	29,702	30,576
5	27,806	28,789	29,721	30,216	30,714	31,648
6	28,594	29,665	30,656	31,190	31,726	32,720
7	29,384	30,534	31,585	32,161	32,735	33,788
8	30,178	31,407	32,521	33,135	33,749	34,858
9	30,971	32,278	33,453	34,105	34,762	35,929
10	31,764	33,154	34,384	35,077	35,771	37,001
11	32,559	33,996	35,313	36,048	36,783	38,070
12	32,559	33,996	35,313	36,048	36,783	38,070
13	32,559	33,996	35,313	36,048	36,783	38,070

(b) The 9-month pay schedule for teachers for the last 6 months of fiscal year 1993 is as follows:

Annual Hours -- 1560 Note: Includes Insurance
Term -- Nine Months Matrix Type -- Annual

	Education Level					
Step	BA	BA+1	BA+2	BA+3	MA	MA+1
1	20,240	20,748	21,269	21,523	21,778	22,299
2	20,837	21,403	21,970	22,253	22,538	23,104
3	21,433	22,058	22,671	22,986	23,298	23,910
4	22,032	22,717	23,372	23,716	24,059	24,716
5	22,627	23,372	24,073	24,446	24,820	25,523
6	23,225	24,031	24,777	25,178	25,581	26,329
7	23,819	24,684	25,476	25,909	26,341	27,133
8	24,417	25,342	26,180	26,641	27,104	27,938
9	25,014	25,997	26,881	27,372	27,865	28,759
10	25,611	26,655	27,582	28,102	28,637	29,608
11	26,208	27,290	28,284	28,853	29,435	30,451
12	26,208	27,290	28,284	28,853	29,435	30,451
13	26,208	27,290	28,284	28,853	29,435	30,451"

Section 8. Section 2-18-314, MCA, is amended to read:

"2-18-314. Liquor store occupations pay schedules. (1) The pay schedule for liquor store occupations for fiscal year ~~1990~~ 1992 is as follows:

Annual Hours -- 2080 Note: With Insurance
Pay Matrix -- Retail Clerk Matrix Type -- Hourly

Grade	$/Hour W/Ins.
~~L1~~	~~0.000~~
~~L2~~	~~8.040~~
~~L3~~	~~8.540~~
~~L4~~	~~8.820~~
~~L5~~	~~9.110~~
~~L6~~	~~9.720~~

~~L7~~	~~10.380~~
~~L8~~	~~11.130~~
L1	0.000
L2	9.112
L3	9.612
L4	9.892
L5	10.182
L6	10.792
L7	11.452
L8	12.202

(2) (a) The pay schedule for liquor store occupations for the first 6 months of fiscal year ~~1991~~ 1993 is as follows:

Annual Hours -- 2080 Note: With Insurance
Pay Matrix -- Retail Clerk Matrix Type -- Hourly

Grade	$/Hour W/Ins.
~~L1~~	~~0.000~~
~~L2~~	~~8.425~~
~~L3~~	~~8.925~~
~~L4~~	~~9.205~~
~~L5~~	~~9.495~~
~~L6~~	~~10.105~~
~~L7~~	~~10.765~~
~~L8~~	~~11.515~~
L1	0.000
L2	9.499
L3	9.999
L4	10.279
L5	10.569
L6	11.179
L7	11.839
L8	12.589

(b) The pay schedule for liquor store occupations for the last 6 months of fiscal year 1993 is as follows:

Annual Hours -- 2080 Note: With Insurance
Pay Matrix -- Retail Clerk Matrix Type -- Hourly

Grade	$/Hour W/Ins.
L1	0.000
L2	9.749
L3	10.249
L4	10.529
L5	10.819
L6	11.429
L7	12.089
L8	12.839"

Section 9. Section 2-18-315, MCA, is amended to read:

"2-18-315. Blue-collar pay schedules. (1) The pay schedule for blue-collar workers for fiscal year ~~1990~~ 1992 is as follows:

Annual Hours -- 2080 Note: With Insurance
Pay Matrix -- Blue-Collar Matrix Type -- Hourly

Grade	$/Hour W/Ins.
~~B1~~	~~8.51~~
~~B2~~	~~8.91~~
~~B3~~	~~9.31~~
~~B4~~	~~9.71~~
~~B5~~	~~10.11~~
~~B6~~	~~10.51~~
~~B7~~	~~10.91~~
~~B8~~	~~11.31~~
~~B9~~	~~11.71~~
~~B10~~	~~12.11~~
~~B11~~	~~12.51~~
~~B12~~	~~12.91~~
~~B00~~	~~13.31~~
B1	9.587
B2	9.987
B3	10.387
B4	10.787
B5	11.187
B6	11.587
B7	11.987
B8	12.387
B9	12.787
B10	13.187
B11	13.587
B12	13.987
B00	14.387

(2) The pay schedule for blue-collar workers for the first 6 months of fiscal year ~~1991~~ 1993 is as follows:

Annual Hours -- 2080 Note: With Insurance
Pay Matrix -- Blue-Collar Matrix Type -- Hourly

Grade	$/Hour W/Ins.
~~B1~~	~~8.90~~
~~B2~~	~~9.30~~
~~B3~~	~~9.70~~
~~B4~~	~~10.10~~
~~B5~~	~~10.50~~
~~B6~~	~~10.90~~
~~B7~~	~~11.30~~
~~B8~~	~~11.70~~
~~B9~~	~~12.10~~
~~B10~~	~~12.50~~
~~B11~~	~~12.90~~
~~B12~~	~~13.30~~
~~B00~~	~~13.70~~
B1	9.974
B2	10.374
B3	10.774
B4	11.174
B5	11.574
B6	11.974

B7	12.374
B8	12.774
B9	13.174
B10	13.574
B11	13.974
B12	14.374
B00	14.774

(3) The pay schedule for blue-collar workers for the last 6 months of fiscal year 1993 is as follows:

Annual Hours -- 2080 Pay Matrix -- Blue-Collar Grade	Note: With Insurance Matrix Type -- Hourly $/Hour W/Ins.
B1	10.224
B2	10.624
B3	11.024
B4	11.424
B5	11.824
B6	12.224
B7	12.624
B8	13.024
B9	13.424
B10	13.824
B11	14.224
B12	14.624
B00	15.024""

14. Page 30, line 10.
Following: line 9
Insert: "NEW SECTION. Section 11. Shift differential and hazardous duty pay negotiated. (1) Shift differential pay for those employees who are regularly scheduled to work other than the day shift is a mandatory subject of collective bargaining.

(2) Hazardous duty pay for those employees who work under hazardous conditions is a mandatory subject of collective bargaining.

Section 12. Section 2-16-405, MCA, is amended to read:

"2-16-405. Salaries of certain elected state officials. The salaries paid to certain elected officials of the state of Montana for fiscal year 1990 and following years are:

	Fiscal Year ~~1990~~ 1992	Following June 30, ~~1990~~ 1992
Governor	~~$51,713~~ $52,961	~~$53,006~~ $54,209
Lieutenant governor	~~$37,044~~ $38,292	~~$37,970~~ $39,540
Attorney general	~~$47,166~~ $48,414	~~$48,345~~ $49,662
State auditor	~~$34,176~~ $35,424	~~$35,030~~ $36,672
Superintendent of public instruction	~~$40,664~~ $41,912	~~$41,681~~ $43,160
Public service		

commission chairman	~~$38,297~~ $39,545	~~$39,254~~ $40,793
Public service commissioners, other than chairman	~~$37,044~~ $38,292	~~$37,970~~ $39,540
Secretary of state	~~$34,176~~ $35,424	~~$35,030~~ $36,672
Clerk of the supreme court	~~$33,211~~ $34,459	~~$34,041~~ $35,707"

Section 13. Section 5-2-301, MCA, is amended to read:

"5-2-301. Compensation and expenses for members while in session. (1) Except as provided in subsection (7), legislators are entitled to a salary commensurate to that of the daily rate of ~~a~~ an entry grade 8~~, step 2,~~ classified state employee in effect when the regular session of the legislature in which they serve is convened under 5-2-103 for those days during which the legislature is in session. The president of the senate and the speaker of the house shall receive an additional $5 a day in salary for those days during which the legislature is in session.

(2) Legislators may serve for no salary.

(3) Legislators are entitled to $50 a day, 7 days a week, during a legislative session, as reimbursement for expenses incurred in attending a session. Expense payments shall stop when the legislature recesses for more than 3 days and shall resume when the legislature reconvenes.

(4) Legislators are entitled to a mileage allowance as provided in 2-18-503 for each mile of travel to the place of the holding of the session and to return to their place of residence at the conclusion of the session.

(5) In addition to the mileage allowance provided for in subsection (4), legislators, upon submittal of an appropriate claim for such mileage reimbursement to the office of the legislative council, are entitled to:

(a) three additional round trips to their place of residence during each regular session; and

(b) such additional round trips as are authorized by the legislature during special session.

(6) Legislators are not entitled to any additional mileage allowance under subsection (4) for a special session if it is convened within 7 days of a regular session.

(7) In lieu of the salary provided for in subsection (1) and the expense allowance provided for in subsection (3), a legislator may receive remuneration for services performed during a legislative session. A legislator choosing to receive remuneration for services performed shall file a request to receive payment under this subsection with the accounting office of the legislative council. A legislator exercising the option to receive remuneration for services performed may not receive more remuneration than legislators paid pursuant to subsections (1) and (3). Remuneration for services performed must be reduced $50 a day when the legislature recesses for more than 3 days."

Section 14. Section 13-37-106, MCA, is amended to read:

"13-37-106. Salary. The commissioner of political practices is entitled to receive a salary of ~~$28,346~~ $29,454 in fiscal year ~~1990~~ 1992 and ~~$29,055~~ $30,842 in fiscal year ~~1991~~ 1993 and thereafter."

Section 15. Section 15-2-102, MCA, is amended to read:

"15-2-102. Qualification and compensation. (1) To be appointed a member of the state tax appeal board, a person must possess knowledge of the subject of taxation and skill in matters pertaining thereto. No person so appointed may hold any other office under the laws of this state or any other state or any office under the government of the United States or under the government of any other state. He shall devote his entire time to the duties of the office and shall not hold any other position of trust or profit or engage in any occupation or business interfering or inconsistent with his duties. The state tax appeal board is transferred to the department of administration for administrative purposes only as is specified in 2-15-121. However, the board may hire its own personnel, and 2-15-121(2)(d) does not apply.

(2) The member designated chairman as provided for in 15-2-103 shall receive a salary ~~of $29,082 in fiscal year 1990 and $29,809 in fiscal year 1991 and thereafter~~ equivalent to that of an entry grade 17 salary, plus 5%. The remaining state tax appeal board members shall be paid a salary ~~of $28,326 in fiscal year 1990 and $29,034 in fiscal year 1991 and thereafter~~ equivalent to that of an entry grade 17 salary. All members of the board shall receive travel expenses as provided for in 2-18-501 through 2-18-503, as amended, when away from the capital on official business.""

Renumber: subsequent sections

15. Page 30, line 12.
Following: "["
Strike: "sections 1 through 12"
Insert: "this act"

16. Page 30, line 14 through page 55, line 15.
Strike: page 30, line 14 through page 55, line 15 in its entirety
Insert: "

	Fiscal 1992		Fiscal 1993	
	General Fund	Other Funds	General Fund	Other Funds
Legislative Auditor	$ 52,001	$ 56,242	$ 89,947	$ 98,076
Legislative Fiscal Analyst	27,711		49,457	
Legislative Council	72,113		145,864	
Environmental Quality Council	11,059		19,209	

Consumer Counsel		6,726		11,681
Judiciary	59,019	23,261	110,670	34,224
University System	3,866,850	1,091,025	6,867,900	1,937,325
Office of Budget and Program Planning for Distribution to All Other Agencies	8,138,722	11,184,771	14,479,928	19,821,094
Total	12,227,475	12,362,025	21,762,975	21,902,400

(2) There is appropriated to the state personnel division $73,200 from the general fund for the fiscal year ending June 30, 1993, for changes in the payroll/personnel/position control system. Any unexpended portion of the appropriation is reappropriated for the biennium ending June 30, 1993."

17. Page 56, line 1.
Insert: "NEW SECTION. Section 18. Codification instruction. [Section 11] is intended to be codified as an integral part of Title 2, chapter 18, part 1, and the provisions of Title 2, chapter 18, part 1, apply to [section 11]."
Renumber: subsequent section

18. Page 56, line 1.
Strike: "date"
Insert: "dates"
Following: "."
Insert: "(1) Except as provided in subsection (2),"
Following: "["
Strike: "This"
Insert: "this"

19. Page 56, line 3.
Insert: "(2) [Section 15] is effective July 1, 1991."

Amendment #1 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Becker, Benedict, Bradley, J. Brown, Clark, Cody, Cohen, Connelly, Cromley, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Phillips, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 68

Noes: Bachini, Beck, Bergsagel, Boharski, Brooke, D. Brown, Cobb, Cocchiarella, Daily, Darko, R. DeBruycker, Forrester, H. S. Hanson, Harrington, Kasten, Lee, McCarthy, Menahan, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Schye, Squires, Stang, Strizich, Wyatt.
Total 30

Excused: Steppler.
Total 1

Absent or not voting: Driscoll.
Total 1

Representative Swysgood moved HB 509, as amended, do pass.

Representative Kadas made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Kadas moved HB 509, second reading copy, be further amended as follows (amendment #2):

1. The Kadas Committee of the Whole amendment dated April 29, 1991 be amended as follows:

That the increase for the second year is 25 cents for the first 6 months and 20 cents for the second 6 months; and

The insurance will be increased from $15 and $15, to $20 and $20.

LFA will adjust matrices and totals accordingly.

Amendment #2 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, J. Brown, Clark, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Spring, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 74

Noes: Bachini, Bergsagel, Boharski, D. Brown, Cobb, Cocchiarella, Daily, R. DeBruycker, Driscoll, Forrester, M. Hanson, Harrington, Kasten, Lee, McCaffree, McCulloch, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Scott, Squires.
Total 23

Excused: Steppler.
Total 1

Absent or not voting: Galvin, Southworth.
Total 2

Thereupon, Representative Swysgood's motion that HB 509 do pass as amended passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Becker, Benedict, Bradley, J. Brown, Clark, Cody, Cohen, Connelly, Cromley, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Feland, Foster, Gervais, Gould, Grady, Grinde, H. S. Hanson, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Madison, Measure, Mercer, Messmore, L. Nelson, T. Nelson, J. Rice, S. Rice, Russell, Simpkins, Spring, Stang, Steppler, Stickney, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 55

Noes: Bachini, Beck, Bergsagel, Boharski, Brooke, D. Brown, Cobb, Cocchiarella, Daily, Darko, Davis, R. DeBruycker, Driscoll, Fagg, Forrester, Galvin, Gilbert, S. J. Hansen, M. Hanson, Harrington, Hayne, Kasten, Larson, Lee, McCaffree, McCarthy, McCulloch, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Schye, Scott, Southworth, Squires, Strizich, Thoft, Whalen, Wyatt.
Total 45

Voted Absentee: Steppler, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Stang moved the adoption of the committee report. Report adopted. (61-37)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/29/91
Correctly enrolled: HB 93, HB 494.
Examined by the sponsor and found to be correct:
HB 7 - Connelly
HB 93 - Cobb
HB 494 - O'Keefe
HB 580 - Schye
HB 589 - Peck
HB 752 - Toole
HB 963 - Bardanouve
HB 990 - S. Rice
HB 995 - Harper
HJR 54 - Brooke
Signed by the Speaker at 1:45 p.m., 4/29/91: HB 990.

Delivered to the Governor for his approval at 4:05 p.m., 4/29/91: HB 990.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 977
Report No. 1, April 29, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee on House Bill 977 met and considered the Governor's amendments, dated April 25, 1991, and recommend that the amendments be accepted in their entirety.

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
Bradley, Chair	Waterman, Chair
J. Johnson	Franklin
Thomas	Hager

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper April 29, 1991
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Harper:

Please be informed that I have signed House Bill 699 on April 26, 1991.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper April 29, 1991
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Harper:

Please be informed that I have signed House Bills 763, 787, 864 and 994 on April 27, 1991.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 29, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 309, 672, 809, 869, 896 and 903 on April 29, 1991.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 29, 1991

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 196, "AN ACT TO ESTABLISH THE MONTANA LEGISLATIVE ECONOMIC DEVELOPMENT AND VALUE-ADDED PLANNING COMMISSION; TO EMPOWER THE COMMISSION TO ~~STUDY THE POTENTIAL FOR ADDING VALUE TO MONTANA PRODUCTS; TO REQUIRE A REPORT~~ CREATE AN ECONOMIC DEVELOPMENT AND VALUE-ADDING PLAN FOR SUBMISSION TO THE 53RD LEGISLATURE; TO PROVIDE AN APPROPRIATION AND AUTHORIZATION FOR EXPENDITURE CONTINGENT ON PRIVATE CONTRIBUTIONS; AND PROVIDING ~~AN IMMEDIATE~~ EFFECTIVE ~~DATE~~ DATES AND A TERMINATION DATE."

House Bill 196 creates a legislative commission to oversee economic development planning within the executive branch of state government. Statutorily, the Department of Commerce is assigned these responsibilities (see sections 90-1-102 through 90-1-105, MCA). I support and endorse the concept of a commission to assist the Department in planning and reporting to the next legislative session on economic development. I am troubled, however, by the erosion of responsibilities of the executive branch of state government as delineated by our state constitution.

This legislation raises issues of constitutional separation of powers. Representatives of the legislature would have voting powers on a commission which has authority to supervise the activities of the department's staff, including the authority to allocate and spend monies appropriated to the department. I respect the powers and wishes of the

legislature. However, I must object to legislation that crosses the line of usurping the authority of another branch of state government. Administration and executing laws is vested in the executive.

The membership of the commission sets aside two very important industrial sector representatives, namely manufacturing and high technology. In addition, several other important elements of our economy, who are active participants in economic development, are excluded from the commission. The individual sectors excluded include telecommunications, transportation and public utility representatives. My amendments would permit the appointment and participation of these key representatives.

My amendments will maintain the thrust of this legislation -- the creation of the commission and direction to submit a plan to the 53rd Legislature on economic development and value adding plan. These amendments also preserve the integrity of the doctrine of separation of powers and fuller participation for all factions of Montana's economy.

I urge your concurrence with these amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 196
(REFERENCE COPY, AS AMENDED)
April 29, 1991

1. Title, line 6.
Following: "MONTANA"
Strike: "LEGISLATIVE"

2. Page 2, line 1.
Following: "CONSENSUS"
Strike: "OF THE MAIN ECONOMIC GROUPINGS"

3. Page 2, lines 2 and 3.
Following: "SECTOR"
Strike: ", LEGISLATIVE BRANCH, EXECUTIVE BRANCH, AND ECONOMIC DEVELOPMENT PROFESSIONALS"
Insert: "and public sector"

4. Page 2, line 8.
Following: "MONTANA"
Strike: "LEGISLATIVE"

5. Page 2, line 11.
Following: "Montana"
Strike: "LEGISLATIVE"

6. Page 2, line 14.

Following: "Montana"
Strike: "LEGISLATIVE"

7. Page 2, lines 17 and 18.
Following: "~~15~~"
Strike: "22 members, including:"
Insert: "15 members to be appointed by the governor."

8. Page 2, line 19 through page 6, line 7.
Strike: page 2, line 19 through page 6, line 7 in their entirety
Insert: "(3) Membership on the commission shall include at least one representative from the private business sector; organized labor; the Montana Indian Tribes; organized conservation groups; the tourism industry; local economic development corporations; and the state university system and such other interests as the governor deems appropriate."

9. Page 6, line 15.
Following: "THE PLAN"
Strike: "MUST"
Insert: "may"

10. Page 7, lines 9 and 10.
Following: "(5)"
Strike: "MEMBERS OF THE COMMISSION SHALL SELECT A CHAIRMAN AND A VICE CHAIRMAN FROM THEIR MEMBERSHIP"
Insert: "The governor shall appoint a chairman and a vice chairman for the commission"

11. Page 8, line 1.
Following: "(2)"
Strike: "THE OFFICE OF THE GOVERNOR, THE DEPARTMENT OF ADMINISTRATION, THE DEPARTMENT OF COMMERCE, THE DEPARTMENT OF HIGHWAYS, THE DEPARTMENT OF REVENUE, THE PUBLIC SERVICE COMMISSION, THE MONTANA UNIVERSITY SYSTEM, AND ANY OTHER AGENCY"
Insert: "All state agencies, including the state university system"

12. Page 8, line 13.
Following: line 12
Strike: subsection (4) in its entirety

13. Page 8, line 20.
Following: "APPROPRIATION"
Strike: "-- EXPENDITURE AUTHORITY CONTINGENT ON PRIVATE CONTRIBUTIONS -- REFUND OF UNEXPENDED CONTRIBUTIONS"

14. Page 8, line 24.
Following: "EXPENDED"
Strike: "AS PROVIDED IN SUBSECTIONS (2) AND (3)"

15. Page 9, line 4 through page 10, line 1.

Following: line 3
Strike: page 9, line 4 through page 10, line 1 in its entirety

16. Page 10, line 8.
Following: line 7
Strike: section 6 in its entirety
Insert: "NEW SECTION. Section 6. Effective date and termination. [This act] is effective July 1, 1991 and terminates July 1, 1993."

The Honorable Hal Harper
Speaker
House of Representatives
State Capitol
Helena, Montana 59620

April 29, 1991

The Honorable Joseph P. Mazurek
President of the Senate
Montana State Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 803, "AN ACT PROTECTING EMPLOYEES AND COMMUNITIES FROM THE EFFECTS OF CLOSURES OR LAYOFFS AT A GOVERNMENTAL FACILITY; PROVIDING A METHOD FOR RELIEVING THE ECONOMIC IMPACTS TO COMMUNITIES RESULTING FROM CLOSURES OR LAYOFFS; PROVIDING FOR DISBURSEMENTS OF FUNDS BY LOCAL COMMITTEES; PROVIDING FOR A STATUTORY APPROPRIATION; AMENDING SECTION 17-7-502, MCA; AND PROVIDING AN EFFECTIVE DATE."

House Bill 803 would require the State of Montana to provide funds to local government any time the state closes or reduces offices by more than 25 employees over a two-year period.

House Bill 803 contains many undefined terms and inconsistent requirements. The legislation requires the payment of 25% of reduced payroll to a committee in each affected community. House Bill 2, however, restricts the expenditures of general fund intended for payroll. Several departments of state government rely on federal funding. Those funds cannot be paid to a local committee as required by the bill. It is uncertain from where the funds required to be paid to a local committee could lawfully and properly be paid.

Since there are no proper funds available to meet the requirements of the bill, the effect would be a virtual restriction on any necessary and efficient restructuring of the state work force. The passage of this bill would severely limit our ability to effectively manage the state's work.

Public funds are to be paid to a committee. Such a committee could be very useful in an advisory capacity, but such an entity does not have the legal authority to accept, be responsible for, and spend state general funds. The bill did not set aside any funds for the operation of the local committees.

House Bill 803 creates an absolute reemployment preference. This new preference cuts across all agency lines. It also applies to the different branches of government. This preference overrides current veteran's and handicapped preferences and collective bargaining agreements. The bill radically changes how reemployment preferences must be handled but fails to adequately integrate those changes into current law. The Department of Administration should be given adequate authority to integrate new preferences into their rules. No such authority was provided in this legislation. I have long supported a "one agency" employment concept for much of the Executive Branch but this bill goes well beyond that.

I have offered amendments which remove these questionable provisions but retain the thrust of the legislation which is to provide an economic impact statement for closure of a governmental facility.

I urge your concurrence with these amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 803
(REFERENCE COPY, AS AMENDED)
April 29, 1991

1. Title, lines 6 through 9.
Following: "FACILITY;"
Strike: the remainder of line 6 and lines 7 through 9.

Title, line 10.
Strike: "AMENDING SECTION 17-7-502, MCA;"

Page 1, line 15.
Strike: "8"
Insert: "4"

2. Page 1, lines 17 through 19.
Following: "under [section 3]"
Strike: "and for disbursing funds from the community readjustment fund to local economic impact committees"

Page 1, line 22.
Following: ";"
Insert: "and"

Page 1, line 24.
Strike: ";"
Insert: "."

3. Page 1, line 25, page 2, lines 1-2.
Strike: subsections (3) and (4) in their entirety

4. Page 2, line 6.
Following: "through"
Strike: "9"
Insert: "4"

5. Page 2, lines 8.
Following: "area"
Strike: "and to provide for the speedy and effective allocation of state funds to prevent economic disaster to a community when a governmental facility in the community retrenches or ceases operations"

6. Page 2, line 23.
Following: "least"
Strike: "25"
Insert: "250"

Page 3, line 2.
Strike: "(1)"
Page 3, line 4.
Strike: "(a)"
Insert: "(1)"
Renumber subsequent subsections

Page 3, line 8.
Following: ";"
Insert: "and"

7. Page 3, line 18 through page 4, line 1.
Following: "retrenchment"
Strike: the remainder of line 18 through page 4, line 1.

8. Page 4, line 2 through page 5, line 23.
Strike: sections 4, 5, 6 and 7 in their entirety
Renumber: subsequent sections

Page 5, line 25 through page 6, line 1.
Strike: ":" on page 5, line 25
Strike: "(1)" on page 6, line 1

Page 6, line 2.
Strike: "; and"
Insert: "."

9. Page 6, lines 3 through 5.
Strike: subsection (2) in its entirety

10. Pages 6, line 6 through page 8, line 8.
Strike: sections 9 and 10 in their entirety
Renumber: subsequent section.

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

April 29, 1991

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 990, "AN ACT APPROPRIATING $1 MILLION ~~MILLION FROM THE INCOME AND EARNINGS OF THE COAL SEVERANCE TAX PERMANENT~~ FROM THE GENERAL FUND TO THE DEPARTMENT OF COMMERCE, TO BE USED AS MATCHING FUNDS FOR THE DEVELOPMENT AND CONSTRUCTION OF A LEWIS AND CLARK NATIONAL HISTORICAL TRAIL INTERPRETIVE CENTER; PROVIDING COORDINATION INSTRUCTIONS; ~~AMENDING SECTION 17-5-704, MCA;~~ AND PROVIDING AN EFFECTIVE DATE."

House Bill 990 is a worthy piece of legislation that promotes the future development and construction of the Lewis and Clark National Historic Trail Interpretive Center. However, coordination instructions make House Bill 990 dependent upon passage and approval of Senate Bill 461. Senate Bill 461 is dead. In order to prevent the loss of House Bill 990, the coordination instruction must be stricken. My amendments accomplish this task.

I urge your concurrence.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 990
(REFERENCE COPY, AS AMENDED)
April 29, 1991

1. Title, line 12.
Following: "CENTER;
Strike: "PROVIDING COORDINATION INSTRUCTIONS;"

2. Page 3, lines 17 through 19.

Strike: section 3 in its entirety
Renumber: subsequent section

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 509 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Becker, Benedict, Bradley, J. Brown, Clark, Cody, Cohen, Connelly, Cromley, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Feland, Foster, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Madison, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Peck, J. Rice, S. Rice, Russell, Scott, Simpkins, Spring, Stickney, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 56

Noes: Bachini, Beck, Bergsagel, Boharski, Brooke, D. Brown, Cobb, Cocchiarella, Daily, Darko, Davis, R. DeBruycker, Driscoll, Fagg, Forrester, Galvin, S. J. Hansen, M. Hanson, Harrington, Hayne, Kasten, Larson, Lee, McCaffree, McCarthy, McCulloch, Menahan, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Schye, Southworth, Squires, Stang, Strizich, Thoft, Whalen, Wyatt.
Total 43

Excused: Steppler.
Total 1

Absent or not voting: None.
Total 0

MOTIONS

Representative Cohen moved the House reconsider its action on the conference committee report #1 to SB 436 taken on third reading the previous legislative day. Motion carried.

Representative Driscoll moved the House recess until 6:30 p.m. Motion carried.

House recessed at 5:30 p.m.

House reconvened at 6:30 p.m. Mr. Speaker in the Chair.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 5
Report No. 1, April 29, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee, met and considered House Bill 5 and recommend that House Bill 5 (reference copy -- salmon) be amended as follows:

1. Title, lines 5 through 10.
Following: "TO" on line 5
Strike: "GENERALLY REVISE THE LAWS RELATING TO CAPITAL PROJECTS; TO"
Following: "PROJECTS" on line 6
Strike: "AND ACCREDITATION NEEDS IN THE MONTANA UNIVERSITY SYSTEM"
Following: ";" on line 10
Strike: "AMENDING SECTION 17-5-404, MCA;"

2. Page 2, line 9.
Following: "than"
Strike: "general fund money or"

3. Page 8, line 17.
Strike: "2,668,200"
Insert: "2,168,200"

4. Page 8, following line 25.
Insert: "Repair Northern Montana College Gymnasium 1,700,000 Higher Education Funds and/or Donations"

5. Page 8, following line 25.
Insert: "(2) If House Bill No. 959 is not passed and approved, the appropriation in this section to construct the engineering/physical sciences complex at MSU is $2,668,200 from higher education funds and/or donations."
Renumber: subsequent subsections

6. Page 9, line 15.
Following: "(4)"
Insert: "(a)"
Following: "IF"
Strike: "SENATE BILL NO. 461"
Insert: "House Bill No. 959"

7. Page 9, line 19.
Following: "PROJECTS"
Insert: "and Equipment"

8. Page 9, line 20.
Strike: "$8,000,000"
Insert: "$600,000"

9. Page 9, following line 20.
Insert: "Repair Northern Montana

College Gymnasium	$1,300,000	General Fund
Equipment for Eastern Montana College	600,000	General Fund
Construct Engineering/ Physical Sciences Complex, Montana State University	500,000	General Fund"

10. Page 9, following line 20.
Insert: "(b) If the bonding program in [section 13] fails to receive the necessary two-thirds vote of both houses of the legislature and if House Bill No. 959 is passed and approved, there is appropriated $1,800,000 from the general fund to the university system for deferred maintenance projects and/or equipment as approved by the board of regents. The $1,165,290 appropriation for the engineering/physical sciences complex at MSU, and the $604,705 appropriation for the business administration building at UM in [section 6(4)] are void, and LRBPF funds in the amount of $1,769,995 are appropriated to replace the $1,300,000 general fund appropriation for the repairs of the northern Montana college gymnasium in subsection (5), funds in the amount of $400,000 are appropriated to replace the bonding money for the Libby armory in [section 12], and funds in the amount of $69,995 are appropriated to design the remodeling of the Great Falls vocational-technical center."

11. Page 12, line 1.
Following: "funds."
Insert: "(1)"

12. Page 12, following line 19.
Insert: "(2) If the bonding program in [section 13] fails to receive the necessary two-thirds vote of both houses of the legislature, the $400,000 for the Libby armory is appropriated from the LRBPF funds as stated in [section 6 (5)(b)]."

13. Page 14, line 25.
Following: "Montana"
Strike: "shall be expended"
Insert: "are from higher education funds and/or donations and must be committed to the universities"

14. Page 15, lines 5 through 14.
Strike: sections 18 and 19 in their entirety
Renumber: subsequent sections

15. Page 15, line 22.
Following: "["
Strike: "section"

Strike: "6(3) and"
Following: "12"
Insert: ", except for the Libby armory project,"

16. Page 15, line 25 through page 16, line 3.
Strike: section 23 in its entirety
Insert: "NEW SECTION. Section 21. Priority of projects. Any projects funded by appropriations made from the long-range building program capital projects fund in other appropriation bills have a lower priority than capital projects funded by appropriations in [this act]."

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
Bardanouve, Chair	Jergeson, Chair
Connelly	Harding
	Weeding

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 795, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Grady, S. J. Hansen, Harrington, J. Johnson, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 60

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cohen, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 36

Excused: Gould, Kadas, Steppler.
Total 3

Absent or not voting: McCulloch.
Total 1

HJR 24, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt.
Total 75

Noes: Barnett, Benedict, Bergsagel, Boharski, D. Brown, Cobb, R. DeBruycker, Driscoll, Ellison, Feland, Grinde, M. Hanson, Lee, Peck, Peterson, Phillips, Swysgood, Thoft, Zook.
Total 19

Excused: Gould, Kadas, Steppler.
Total 3

Absent or not voting: Cohen, Grady, Mr. Speaker.
Total 3

SB 226, free conference committee report #1, adopted as follows:

Ayes: Bardanouve, Barnett, Barnhart, Becker, Benedict, Bradley, Brooke, J. Brown, Clark, J. DeBruycker, Driscoll, Elliott, Ellis, Foster, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kimberley, Larson, Madison, McCaffree, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Ream, J. Rice, Russell, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Mr. Speaker.
Total 51

Noes: Bachini, Beck, Bergsagel, Boharski, D. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, H. S. Hanson, Harrington, Kasten, Keller, Kilpatrick, Knox, Lee, McCarthy, McCulloch, Menahan, Messmore, Pavlovich, Phillips, Quilici, Raney, S. Rice, Schye, Scott, Simpkins, Southworth, Swysgood, Wanzenried, Whalen,

Wyatt, Zook.
Total 48

Voted Absentee: Gould, Kadas, Steppler, Ayes.

Excused: None.
Total 0

Absent or not voting: Measure.
Total 1

SB 436, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Bergsagel, Boharski, J. DeBruycker, R. DeBruycker, Gilbert, Lee, Madison.
Total 7

Excused: Gould, Kadas, Steppler.
Total 3

Absent or not voting: Phillips.
Total 1

SB 246, free conference committee report #1, adopted as follows:

Ayes: Bardanouve, Barnett, Becker, Benedict, Bradley, D. Brown, J. Brown, Clark, Cobb, Cohen, Connelly, Cromley, Darko, R. DeBruycker, Dolezal, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Simpkins, Spring, Squires, Stang, Stickney, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 65

Noes: Bachini, Barnhart, Beck, Bergsagel, Boharski, Brooke, Cocchiarella, Cody, Daily, Davis, J. DeBruycker, Dowell, Driscoll, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kilpatrick, Kimberley, McCarthy, Menahan, Nisbet, O'Keefe, Pavlovich, Raney, Schye, Scott, Southworth, Whalen, Wyatt.
Total 31

Voted Absentee: Kadas, Aye.

Excused: Gould, Steppler, Swysgood.
Total 3

Absent or not voting: Strizich.
Total 1

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Stang in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 55 - Representative Dolezal moved Senate amendments to HJR 55 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 75

Noes: Benedict, Bergsagel, Clark, R. DeBruycker, Feland, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Knox, Phillips, Simpkins, Spring, Thoft, Thomas.
Total 16

Excused: Gould, Kadas, Steppler, Swysgood.
Total 4

Absent or not voting: Boharski, Ellison, Hayne, Peterson, Wyatt.
Total 5

HB 959 - Representative Harrington moved HB 959, second reading copy, be amended as follows (amendment #1):

1. Title, lines 5 through 9.
Following: ";" on line 5
Strike: remainder of line 5 through line 9 in its entirety
Insert: "PROVIDING THAT TO BE ELIGIBLE TO APPLY FOR AN EXTENSION OF TIME FOR FILING A RETURN, A TAXPAYER MUST HAVE PAID BY ESTIMATED TAX PAYMENTS, WITHHOLDING TAX, OR A COMBINATION OF ESTIMATED TAX PAYMENTS AND WITHHOLDING TAX 95 PERCENT OF THE CURRENT YEAR'S TAX LIABILITY OR 100 PERCENT OF THE PREVIOUS YEAR'S TAX LIABILITY; PROVIDING AN APPROPRIATION;"

2. Title, lines 10 through 12.
Following: "AMENDING" on line 10
Strike: remainder of line 10 through line 12 in its entirety

Insert: "SECTION"

3. Title, lines 13 through 21.
Following: "15-30-144" on line 13
Strike: remainder of line 13 through "19-13-1003" on line 21

4. Title, line 22.
Strike: "AN IMMEDIATE"
Following: "EFFECTIVE"
Strike: "DATE"
Insert: "DATES"

5. Page 2, line 1 through page 69, line 25.
Strike: sections 1 through 41 in their entirety
Insert: "Section 1. Section 15-30-144, MCA, is amended to read:

"15-30-144. Time for filing -- extensions of time. (1) Returns shall be made to the department on or before the 15th day of the 4th month following the close of the taxpayer's fiscal year, or if the return is made on the basis of the calendar year, then the return shall be made on or before the 15th day of April following the close of the calendar year. Each return shall set forth such facts as the department considers necessary for the proper enforcement of this chapter. There shall be annexed to such return the affidavit or affirmation of the persons making the return to the effect that the statements contained therein are true. Blank forms of return shall be furnished by the department upon application, but failure to secure the form shall not relieve any taxpayer of the obligation to make any return required under this law. Every taxpayer liable for a tax under this law shall pay a minimum tax of $1.

(2) An automatic 6-month extension of time for filing a return is allowed, provided that:

(a) on or before the due date of the return, an application is made on forms available from the department or in writing to the department; and

(b) the applicant has paid by estimated tax payments, withholding tax, or a combination of estimated tax payments and withholding tax 95% of the current year's tax liability or 100% of the previous year's tax liability."

NEW SECTION. Section 2. Appropriation. There is appropriated from the general fund to the department of revenue $215,023 for fiscal year 1992 and $173,748 for fiscal year 1993 to implement the provisions of [this act]."
Renumber: subsequent sections

6. Page 70, line 2.
Strike: "This act"
Insert: "Section 1"

7. Page 70, line 4.
Strike: "date"
Insert: "dates"

Following: "."
Insert: "(1) Except as provided in subsection (2),"
Strike: "This"
Insert: "this"

8. Page 70, line 6.
Insert: "(2) [Section 2] is effective July 1, 1991."

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook.
Total 79

Noes: Benedict, Bergsagel, Boharski, D. Brown, R. DeBruycker, Fagg, Feland, Hayne, Kasten, Lee, McCulloch, Measure, Spring, Thoft, Wyatt.
Total 15

Excused: Gould, Kadas, Steppler, Swysgood, Mr. Speaker.
Total 5

Absent or not voting: Ream.
Total 1

Representative Harrington moved HB 959, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 81

Noes: Benedict, Bergsagel, Boharski, Cobb, R. DeBruycker, Fagg, Feland, Hayne, Kasten, Lee, McCulloch, Spring, Thoft, Wyatt.
Total 14

Excused: Gould, Kadas, Steppler, Swysgood.
Total 4

Absent or not voting: Phillips.
Total 1

HB 977 - Representative Bradley moved the free conference committee report #1 to HB 977 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Bergsagel, R. DeBruycker, Feland, Gilbert, Hayne, Kasten, Knox.
Total 7

Excused: Gould, Kadas, Steppler, Swysgood.
Total 4

Absent or not voting: Grinde.
Total 1

HB 196 - Representative Kilpatrick moved Governor's amendments to HB 196 be not concurred in. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 61

Noes: Barnett, Bergsagel, Boharski, Clark, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Thoft, Thomas, Tunby, Wallin, Zook.
Total 35

Excused: Gould, Steppler, Swysgood.
Total 3

Absent or not voting: Bardanouve.
Total 1

HB 803 - Representative Menahan moved Governor's amendments to HB 803 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 87

Noes: Bergsagel, Feland, Gilbert, Measure, T. Nelson, Scott, Wyatt.
Total 7

Excused: Gould, Steppler, Swysgood.
Total 3

Absent or not voting: Peterson, J. Rice, Spring.
Total 3

HB 990 - Representative Harper moved Governor's amendments to HB 990 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ream, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 73

Noes: Barnhart, Benedict, Bergsagel, Clark, Cohen, Connelly, J. DeBruycker, R. DeBruycker, Ellison, Feland, Gilbert, Grady, Grinde, Hayne, Hoffman, McCaffree, Measure, L. Nelson, T. Nelson, Peck, Raney, Scott, Thoft.
Total 23

Excused: Gould, Steppler, Swysgood.
Total 3

Absent or not voting: J. Rice.
Total 1

HB 5 - Representative Bardanouve moved the free conference committee report #1 to HB 5 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 85

Noes: Cohen, Daily, Forrester, Gilbert, Harrington, McCaffree, Measure, L. Nelson, Pavlovich, Quilici, Raney, Mr. Speaker.
Total 12

Voted Absentee: Gould, Aye.

Excused: Steppler, Swysgood.
Total 2

Absent or not voting: Kasten.
Total 1

Representative Driscoll moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Stang moved the adoption of the committee report. Report adopted. (78-17)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 959 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson,

Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: Benedict, Bergsagel, Boharski, Cobb, Connelly, R. DeBruycker, Fagg, Feland, Hayne, Kasten, Lee, McCulloch, Spring, Thoft, Thomas.
Total 15

Voted Absentee: Steppler, Aye.

Excused: Gould, Swysgood.
Total 2

Absent or not voting: Kadas.
Total 1

HJR 55, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 74

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, R. DeBruycker, Ellis, Ellison, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Knox, Peterson, Phillips, Simpkins, Spring, Thoft, Wallin.
Total 22

Excused: Gould, Steppler, Swysgood.
Total 3

Absent or not voting: J. Rice.
Total 1

HB 977, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson,

Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Bergsagel, R. DeBruycker, Ellison, Feland, Gilbert, Grinde, Hayne, Kasten, Knox, Phillips.
Total 10

Voted Absentee: Steppler, Aye.

Excused: Gould, Swysgood.
Total 2

Absent or not voting: J. Johnson, J. Rice.
Total 2

HB 5, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook.
Total 78

Noes: Bergsagel, Cody, Cohen, Daily, Driscoll, Forrester, Gilbert, Harrington, Kasten, Keller, Knox, McCaffree, Measure, L. Nelson, Pavlovich, Quilici, Raney, Steppler, Wanzenried, Mr. Speaker.
Total 20

Voted Absentee: Gould, Aye; Steppler, No.

Excused: Swysgood.
Total 1

Absent or not voting: S. J. Hansen.
Total 1

MESSAGES FROM THE SENATE

Governor's amendments concurred in: 4/29/91

HB 46, introduced by Galvin
HB 179, introduced by Phillips
HB 365, introduced by Swysgood
HB 569, introduced by J. Rice
HB 684, introduced by Driscoll

Governor's amendments not concurred in: 4/29/91

HB 999, introduced by Peck

Conference committee report #1 adopted: 4/29/91

HB 559, introduced by Fagg

Free conference committee report #1 adopted: 4/29/91

HB 795, introduced by Harper

Representative Driscoll moved the House recess until 9:30 p.m. Motion carried.

House recessed at 7:20 p.m.

House reconvened at 9:40 p.m. Mr. Speaker in the Chair.

REPORTS OF SELECT COMMITTEES

Conference Committee
on House Bill 454
Report No. 1, April 29, 1991

Mr. Speaker and Mr. President:

We, your Conference Committee on House Bill 454, met and considered Senate committee on Finance and Claims amendments, dated April 12, 1991, and recommend that the Senate amendments be accepted in their entirety.

And that this Conference Committee report be adopted.

For the House:	For the Senate:
Bradley, Chair	Jergeson, Chair
Quilici	Fritz
	T. Beck

MESSAGES FROM THE SENATE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 4/29/91

HB 509, introduced by Swysgood

Free conference committee report #1 adopted: 4/29/91

HB 977, introduced by Bradley
HJR 24, introduced by Ream

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Darko moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Elliott in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 454 - Representative Cobb moved the conference committee report #1 to HB 454 be adopted. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Gilbert, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Mr. Speaker.
Total 69

Noes: Becker, Benedict, Bergsagel, Boharski, Cobb, Cody, Cohen, R. DeBruycker, Foster, Galvin, Grinde, Kadas, Kasten, Lee, Measure, Peterson, Phillips, Raney, J. Rice, Spring, Swysgood, Thoft, Wyatt, Zook.
Total 24

Excused: Gervais, Gould, Southworth, Steppler.
Total 4

Absent or not voting: Bachini, Feland, Peck.
Total 3

HB 509 - Representative Swysgood moved Senate amendments to HB 509 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Bradley, J. Brown, Clark, Cody, Cohen, Connelly, Cromley, Darko, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Peterson, Phillips, J. Rice, S. Rice, Russell, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Zook, Mr. Speaker.
Total 66

Noes: Beck, Bergsagel, Boharski, Brooke, D. Brown, Cobb, Cocchiarella, Daily, Davis, R. DeBruycker, Driscoll, Forrester, Galvin, S. J. Hansen, Harrington, Lee, McCaffree, Menahan, Nisbet, O'Keefe, Pavlovich, Quilici,

Raney, Ream, Schye, Scott, Whalen, Wyatt.
Total 28

Excused: Gervais, Gould, Southworth, Steppler.
Total 4

Absent or not voting: Feland, Wanzenried.
Total 2

Representative Driscoll moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Elliott moved the adoption of the committee report. Report adopted. (69-24)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 454, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Gilbert, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Peck, Quilici, Ream, S. Rice, Russell, Schye, Scott, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Mr. Speaker.
Total 67

Noes: Benedict, Bergsagel, Boharski, Cobb, Cody, Daily, R. DeBruycker, Foster, Galvin, Grinde, Hayne, Kasten, Lee, Measure, Mercer, L. Nelson, Pavlovich, Peterson, Phillips, Raney, J. Rice, Simpkins, Spring, Swysgood, Thoft, Thomas, Wyatt, Zook.
Total 28

Excused: Gervais, Gould, Southworth, Steppler.
Total 4

Absent or not voting: Feland.
Total 1

HB 509, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Bradley, J. Brown, Clark, Cody, Cohen, Connelly, Cromley, Darko, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Madison, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Phillips, J. Rice, S. Rice,

Russell, Simpkins, Spring, Stang, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Zook, Mr. Speaker.
Total 59

Noes: Beck, Bergsagel, Boharski, Brooke, D. Brown, Cobb, Cocchiarella, Daily, Davis, R. DeBruycker, Driscoll, Fagg, Forrester, Galvin, S. J. Hansen, Harrington, Hayne, Kasten, Larson, Lee, McCaffree, McCulloch, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, Schye, Scott, Squires, Strizich, Whalen, Wyatt.
Total 35

Excused: Gervais, Gould, Southworth, Steppler.
Total 4

Absent or not voting: Feland, Wanzenried.
Total 2

MOTIONS

Representative Bardanouve moved the rules be suspended to allow him to be recorded as voting yes on the free conference committee report #1 to HB 5, third reading. Motion carried.

Representative Boharski moved the House reconsider its action on the free conference committee report #1 to SB 246 taken on third reading this legislative day. Motion carried.

Representative Driscoll moved the House recess until 12:45 a.m. Motion carried.

House recessed at 10:00 p.m.

House reconvened at 12:55 a.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/29/91
Correctly enrolled: HB 509.
Examined by the sponsor and found to be correct:
HB 509 - Swysgood
Signed by the Speaker at 10:00 p.m., 4/29/91: HB 7, HB 93, HB 268, HB 494, HB 518, HB 580, HB 589, HB 597, HB 752, HB 801, HB 963, HJR 47, HJR 48, HJR 49, HJR 54.
Signed by the Speaker at 11:40 p.m., 4/29/91: HB 509.
Delivered to the Governor for his approval at 11:50 p.m., 4/29/91: HB 509.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 2
Report No. 1, April 29, 1991

Mr. Speaker and Mr. President:

We, your Free Conference Committee, met and considered House Bill 2 and recommend that House Bill 2 (reference copy -- salmon) be amended as follows:

1. Page BP-1, line 11.
Following: "~~(1)~~"
Insert: "(1)"

2. Page BP-1, lines 12 and 20.
Following: "category"
Strike: "." on line 12
Following: "~~necessary.~~" on line 20
Insert: "unless the approving authority approves a specific agency request for the 1993 biennium only, which request is justified either on the basis of documented cost savings or as specified in subsection (2). The approving authority shall submit its analysis of the cost savings to the legislative auditor, with wages and fringe benefits separately documented from other cost savings. The legislative audit committee shall review the approving authority's analysis and report to the 53rd legislature on the savings realized.

(2) If an agency is unable to recruit and hire professional positions funded in the appropriation, funds appropriated for personal services may be used to fund an agreement or contract to provide services that are identical to those services performed by an authorized position. The amount used for the agreement or contract may not be more than the amount authorized for the position less any personal services reduction. The agency director shall certify to the approving authority, as defined in House Bill No. 454, or his designated representative that the agency is unable to fill the position and that the services performed by that position are necessary."

3. Page BP-2, line 8.
Following: "appropriations."
Strike: remainder of line 8 and lines 9 and 10 in their entirety
Insert: "Before [this act] is enrolled, the legislative fiscal analyst is directed to allocate the personal services reduction among programs within the agency. This allocation must be:

(1) made after all other amendments contained in this conference committee report have been made; and

(2) based upon the funding for all control variables within each program, excluding control variables that do not contain personal services."

4. Page BP-2, following line 13.
Insert: "NEW SECTION. Section 8. Vacant positions. If a budgeted position remains unfilled for more than 6 months, the position may be filled only after approval by the approving authority. The approving authority shall document in writing the justification and approval for filling each position that was vacant for more than 6 months and shall provide the documentation to the office of budget and program planning and to the office of the legislative fiscal analyst if requested. If a budgeted position remains unfilled for

more than 1 year, the approving authority may not include the position in the budget request base for the executive budget request that will be presented to the 53rd legislature. The budget request presented to the 53rd legislature must include an analysis of vacant positions subject to the approval requirement in this section and must specifically identify those positions that remained unfilled for more than 1 year and are included in the budget request as modifications."

Renumber: subsequent sections.

5. Page BP-2, following line 13.

Insert: "NEW SECTION. Section 9. Employee training documentation. All agencies shall identify on the statewide budgeting and accounting system the costs of providing training to employees, including travel but not including the personal services costs for the employees being trained. In addition, agencies shall maintain statistics and information that disclose the days of training provided to employees, the number of employees who received training, and the type of training provided."

Renumber: subsequent sections.

6. Page A-1.

Following: line 14

Insert: "f. Audits of School-Related Organizations (Line Item)
4,000" (state special revenue fiscal 1992)

7. Page A-1.

Following: line 14

Insert: "g. Privatization Alternatives -- Additional Audit Staff (Line Item)
24,837" (general fund fiscal 1992)
"24,778" (general fund fiscal 1993)

"h. New Audit Work -- Additional Audit Staff (Line Item)
24,837" (general fund fiscal 1992)
"24,778" (general fund fiscal 1993)

"i. State Compensation Mutual Insurance Fund (Line Item)
24,837" (state special revenue fiscal 1992)
"24,778" (state special revenue fiscal 1993)

8. Page A-1.

Strike: lines 15 and 16 in their entirety

Renumber: subsequent item

9. Page A-2, line 1.

Strike: "804,162 851,915"

Insert: "828,738 877,121"

10. Page A-2, line 16.

Strike: "479,407"

Insert: "439,407"

11. Page A-2, line 16.

Strike: "479,407"
Insert: "509,407"

12. Page A-3.
Strike: lines 4 and 5 in their entirety
Renumber: subsequent item

13. Page A-3.
Following: line 20.
Insert: "Commission on Uniform State Laws 30,000"

14. Page A-3, line 25.
Following: "CONFERENCE"
Strike: "60,000"
Insert: "20,000"

15. Page A-4.
Following: line 2
Strike: lines 3 through 6 in their entirety.
Insert: "The legislative council may allocate money appropriated in item 1 among the individual activities listed above in order to complete work assigned by the legislature."

16. Page A-4.
Following: line 6
Insert: "Contingent on passage and approval of House Joint Resolution No. 50, a biennial appropriation not to exceed $30,000 from pension trust funds is made to the legislative council for the purpose of conducting an interim study on retirement systems. Of the total appropriation, 12.5% must be made from the teachers' retirement pension fund. The remaining 87.5% must be made from the various pension trust funds administered by the public employees' retirement board in proportion to the membership of each system."

17. Page A-4.
Following: line 6
Insert: "The revenue oversight committee may use part of the appropriation provided in item 1 for the support of the activities of the coal tax oversight subcommittee."

18. Page A-4, line 9.
Strike: "266,170 262,161"
Insert: "271,083 268,865"

19. Page A-4, line 23.
Strike: "798,599 816,783"
Insert: "805,775 828,517"

20. Page A-5, line 15.
Strike: "27,535 27,497"
Insert: "13,767 13,749"

21. Page A-5.

Following: line 17
Insert: "e. SB 228 -- Judicial Salary Increase (Line Item)
25,105" (general fund fiscal 1992)
"56,203" (general fund fiscal 1993)

22. Page A-6.
Following: line 5
Insert: "a. SB 228 -- Judicial Salary Increase (Line Item)
125,348" (general fund fiscal 1992)
"289,212" (general fund fiscal 1993)

23. Page A-6.
Following: line 5
Insert: "b. 21st Judicial District Salary, Training, Travel (Line Item)
32,770" (general fund fiscal 1993)
"c. SB 228 -- Judicial Salary Increase (Line Item)
4,166" (general fund fiscal 1993)

24. Page A-6.
Following: line 9
Insert: "b. SB 228 -- Judicial Salary Increase (Line Item)
3,440" (state special revenue fiscal 1992)
"8,004" (state special revenue fiscal 1993)

25. Page A-6.
Following: line 13
Insert: "7. District Court Criminal Reimbursement Program (07)
2,682,579" (general fund fiscal 1992)
"2,806,573" (general fund fiscal 1993)
"a. Audit (Line Item)
1,848" (general fund fiscal 1992)
Renumber: subsequent items

26. Page A-6.
Strike: lines 14 through 17 in their entirety
Renumber: subsequent item

27. Page A-7.
Following: line 2
Insert: "Items 1e, 4a, and 5b are appropriated if Senate Bill No. 228 is passed and approved."

28. Page A-7.
Following: line 2
Insert: "Item 4b is contingent on passage and approval of House Bill No. 934, and item 4c is contingent on passage and approval of both House Bill No. 934 and Senate Bill No. 228."

29. Page A-7.
Following: line 2
Insert: "If revenue deposited to the general fund under the provisions of 61-3-509 is less than the appropriation for district court

reimbursement, the supreme court administrator shall reduce the reimbursement to an amount equal to the revenue collected."

30. Page A-7, line 12.
Strike: "261,645 77,000"
Insert: "318,990 160,628"

31. Page A-7.
Following: line 18.
Insert: "c. Equipment Replacement (Line Item)
4,000" (general fund fiscal 1992)

32. Page A-8.
Strike: lines 13 through 15 in their entirety.

33. Page A-9.
Following: line 1.
Insert: "e. SB 384 -- Primary Election for 2-Mill Levy (Line Item)
52,500" (general fund fiscal 1992)

34. Page A-9, line 9.
Strike: "21,321 3,885 8,102 21,285 3,879 8,132"
Insert: "10,661 1,943 4,051 10,643 1,940 4,066"

35. Page A-11.
Strike: lines 23 and 24 in their entirety.

36. Page A-12, line 23.
Strike: "375,000 375,000"
Insert: "379,920 379,920"

37. Page A-13.
Following: line 22
Insert: "o. SB 370 -- D.A.R.E. Program (Line Item)
16,200" (state special revenue fiscal 1992)
"16,200" (state special revenue fiscal 1993)

38. Page A-13.
Following: line 22
Insert: "p. SB 379 -- Probation and Parole Officer Standards (Line Item)
6,579" (general fund fiscal 1992)
"100" (general fund fiscal 1993)

39. Page A-14.
Following: line 5
Insert: "Item 1o is contingent on passage and approval of Senate Bill No. 370."

40. Page A-14.
Following: line 8
Insert: "Item 1p is contingent on passage and approval of Senate Bill No. 379."

41. Page A-14, line 22.
Strike: "1,197,074" "1,190,736"
Insert: "885,303" "977,764"
"311,771" (state special revenue fiscal 1992)
"212,972" (state special revenue fiscal 1993)

42. Page A-15, line 12.
Strike: "623,542" "425,945"
Insert: "311,771" "212,973"

43. Page A-15.
Following: line 14
Insert: "a. HB 646 -- Additional Handicap Parking Display Cards (Line Item)
15,000" (general fund fiscal 1992)
"2,500" (general fund fiscal 1993)

44. Page A-15, line 14.
Strike: "4,856,419 4,895,297"
Insert: "4,753,358 4,776,503"

45. Page A-15.
Following: line 14
Insert: "b. HB 568 -- Driver's License Express Stations (Line Item)
708,000" (general fund fiscal 1992)
"710,000" (general fund fiscal 1993)

46. Page A-16.
Following: line 6
Insert: "d. HB 809 -- Fire Marshal Bureau Expansion (Line Item)
159,667" (general fund fiscal 1992)
"163,000" (general fund fiscal 1993)

47. Page A-16.
Following: line 8
Insert: "a. HB 155 -- County Attorney Salary Increase (Line Item)
136,000" (general fund fiscal 1992)
"333,000" (general fund fiscal 1993)

48. Page A-17.
Following: line 14
Insert: "Item 6d is contingent on passage and approval of House Bill No. 809."

49. Page A-17.
Following: line 11
Insert: "Item 4b is contingent on passage and approval of House Bill No. 568."

50. Page A-17.
Following: line 14
Insert: "Item 7a is contingent on passage and approval of House Bill No. 155. In the event that a pay plan bill is passed and approved that

includes salary increases for county attorneys, item 7a must be reduced by the amount included in the pay plan bill for county attorney salaries."

51. Page A-19, line 20.
Strike: "28,701 413,970 24,644 416,841"
Insert: "442,671" (proprietary revenue fiscal year 1992)
"441,485" (proprietary revenue fiscal year 1993)

52. Page A-19, line 20.
Strike: "867,320 874,594"
Insert: "837,138 844,478"

53. Page A-20.
Following: line 16
Insert: "e. Revenue Collection (Line Item)
91,713" (general fund fiscal 1992)
"78,723" (general fund fiscal 1993)

54. Page A-20, line 20.
Following: "Assessors"
Strike: "(Line Item)"

55. Page A-20, line 23.
Following: "Assessors"
Strike: "(Line Item)"

56. Page A-20, line 25.
Following: "Program"
Strike: "(Line Item)"

57. Page A-21, line 5.
Strike: "358,281 301,281"
Insert: "333,281 276,281"

58. Page A-21, line 11.
Strike: "602,633 603,357"
Insert: "536,648 537,280"

59. Page A-21.
Strike: line 25 in its entirety

60. Page A-22.
Following: line 13
Insert: "b. Capitol Restoration Commission (Line Item)
11,634" (state special revenue fiscal 1992)
"11,634" (state special revenue fiscal 1993)

61. Page A-22.
Strike: lines 4 and 5 in their entirety
Renumber: subsequent items

62. Page A-22.

Following: line 13
Insert: "c. Expanded Long-Range Building Plan (Line Item)
51,242" (state special revenue fiscal 1992)
"51,242" (other revenue fiscal 1992)
"53,670" (state special revenue fiscal 1993)
"53,670" (other revenue fiscal 1993)

63. Page A-22, line 7.
Strike: "1,058,233 1,042,384"
Insert: "1,048,440 1,032,591"

64. Page A-23, lines 2, 4, and 6.
Strike: "(Line Item)"

65. Page A-23.
Following: line 21
Insert: "m. Family Services Computer System (Line Item)
78,200" (proprietary funds fiscal 1992)
"93,200" (proprietary funds fiscal 1993)

66. Page A-23, line 23.
Strike: "385,338 3,331,572 396,095
3,421,203"
Insert: "244,255 2,296,965 252,686
2,369,533"

67. Page A-23, following line 25.
Insert: "b. Utilities Cost (Line Item)
141,083" (general fund fiscal 1992)
"1,034,607" (proprietary fund fiscal 1992)
"143,409" (general fund fiscal 1993)
"1,051,670" (proprietary fund fiscal 1993)

68. Page A-24.
Following: line 20
Insert: "f. Genetics Program (Line Item)
20,252" (proprietary funds fiscal 1992)
"20,252" (proprietary funds fiscal 1993)

69. Page A-24, line 22.
Strike: "2,018,619 2,070,836"
Insert: "2,114,709 2,166,768"

70. Page A-25, line 1.
Strike: "1,000,000 1,000,000"
Insert: "500,000 500,000"

71. Page A-25, line 5.
Strike: "9,468"

72. Page A-25, line 6.
Strike: "9,462"

73. Page A-25.
Following: line 13
Insert: "The deletion of the personal services reduction in state special revenue is contingent on passage and approval of House Bill No. 5."

74. Page A-25.
Following: line 13
Insert: "Item 3b is contingent on passage and approval of House Bill No. 500."

75. Page A-25.
Following: line 13
Insert: "Item 3c is contingent on passage and approval of House Bill No. 5."

76. Page A-25, line 14.
Strike: "6b"
Insert: "5b"

77. Page A-25.
Following: line 14
Insert: "The governor-elect program is appropriated all necessary expenses, up to $50,000 from the general fund in fiscal 1993, to implement the provisions of 2-15-221."

78. Page A-25.
Following: line 14
Insert: "Item 5m is contingent on passage and approval of House Bill No. 569."

79. Page A-25, lines 21 and 22.
Strike: "7"
Insert: "6"

80. Page A-25, following line 23.
Insert: "Item 6b may be used only to pay utilities costs."

81. Page A-25, line 24.
Strike: "8"
Insert: "7"

82. Page A-25.
Following: line 24
Insert: "Item 8f is contingent on passage and approval of House Bill No. 696."

83. Page A-26, line 5.
Strike: line 5 in its entirety

84. Page A-26, line 6.
Strike: "FEASIBLE."

85. Page A-26, line 6.
Strike: "10B"

Insert: "9b"

86. Page A-27, line 11.
Strike: "350,582"
Insert: "301,289"

87. Page A-27.
Following: line 17
Insert: "Contingent on passage and approval of House Bill No. 595, the board is appropriated $3,860 from pension trust funds in fiscal 1992 and $2,360 from pension trust funds in fiscal 1993.

Contingent on passage and approval of House Bill No. 711, the board is appropriated $5,000 from pension trust funds in fiscal 1992 and $5,000 from pension trust funds in fiscal 1993.

Contingent on passage and approval of Senate Bill No. 226, the board is appropriated $25,000 from pension trust funds in fiscal 1992 and $5,000 from pension trust funds in fiscal 1993."

88. Page A-27.
Following: line 24
Insert: "c. System Enhancements for Legislated Changes (Line Item)
25,000" (other funds fiscal 1992)

89. Page A-28, line 3.
Following: "1a"
Strike: "and"
Following: "1b"
Insert: ", and 1c"

90. Page A-28.
Following: line 3
Insert: "Item 1c is contingent on passage and approval of Senate Bill No. 226."

91. Page B-2, following line 22.
Insert: "f. HB 987 -- Regulation of Public Accommodations (Line Item)
10,125" (state special revenue fiscal 1992)
"10,125" (state special revenue fiscal 1993)

"g. HB 988 -- Regulation of Campgrounds, Trailer Courts, etc. (Line Item)
15,750" (state special revenue fiscal 1992)
"15,750" (state special revenue fiscal 1993)

"h. HB 989 -- Regulation of Food Establishments (Line Item)
165,000" (state special revenue fiscal 1992)
"165,000" (state special revenue fiscal 1993)

"i. HB 994 -- Regulation of Swimming Pools (Line Item)
76,500" (state special revenue fiscal 1992)
"76,500" (state special revenue fiscal 1993)

92. Page B-4, following line 18.
Insert: "j. SB 136 -- Water Quality Districts (Line Item)
18,539" (state special revenue fiscal 1992)
"18,504" (state special revenue fiscal 1993)

93. Page B-4, following line 21.
Insert: "a. HB 445 -- Health Planning Specialist (Line Item)
16,289" (general fund fiscal 1992)
"16,251" (general fund fiscal 1993)

94. Page B-6, lines 4 through 6.
Strike: lines 4 through 6 in their entirety
Renumber: subsequent item

95. Page B-7, following line 5.
Insert: "It is the intent of the legislature that the department determine the feasibility of funding the public health and chemistry laboratories through proprietary and special revenue accounts with little or no use of general fund money, except as specified to support testing for the food and consumer safety and occupational health bureaus. If the department determines that such accounting is feasible and saves general fund money, then on or after July 1, 1991, the department may request that the approving authority authorize a proprietary account and reduce the general fund appropriation by a like amount. If this occurs, the general fund appropriation must remain at $25,000 to provide necessary testing for the food and consumer safety and occupational health bureaus."

96. Page B-7, line 8.
Following: "than"
Strike: "$4,986,059"
Insert: "$4,928,894"

97. Page B-7, line 14.
Following: "of"
Strike: "$4,949,739"
Insert: "$4,928,894"

98. Page B-8, following line 3.
Insert: "Items 3f, 3g, 3h, and 3i are contingent on passage and approval of House Bill Nos. 987, 988, 989, and 994, respectively."

99. Page B-9, following line 3.
Insert: "b. HB 342 -- Implementation (Line Item)
45,400" (state special revenue fiscal 1992)
"39,445" (state special revenue fiscal 1993)

100. Page B-9, line 24.

Strike: "9,113	73,079	529,863		9,161	73,215	529,084"
Insert: "4,609	62,944	528,472		4,662	63,114	527,687"

101. Page B-10.
Following: line 24

Insert: "Funds appropriated in item 1b must be distributed to the office of public instruction for administration of the jobs for Montana's graduates program."

102. Page B-11, following line 1.
Insert: "Item 4b is contingent on passage and approval of House Bill No. 342."

103. Page B-11, following line 1.
Insert: "Contingent on passage and approval of Senate Bill No. 228, the budget director shall increase item 8 by the amount necessary to bring the salary and benefits of the workers' compensation judge to the levels authorized by Senate Bill No. 228 less any increase provided for in the pay plan bill."

104. Page B-11, line 16.

Strike: "853,367	1,787,001	853,367	1,787,001"
Insert: "709,367	1,931,001	709,367	1,931,001"

105. Page B-11.
Following: line 24
Insert: "b. Grant Writing (Line Item)

11,250"	(general fund fiscal 1992)
"22,500"	(federal special revenue fiscal 1992)
"11,250"	(proprietary funds fiscal 1992)
"11,250"	(general fund fiscal 1993)
"22,500"	(federal special revenue fiscal 1993)
"11,250"	(proprietary funds fiscal 1993)

106. Page B-12.
Following: line 3
Insert: "b. Collection of Parental Contribution to Out-of-Home Care -- HB 993 (Line Item)

10,145"	(state special revenue fiscal 1992)
"19,692"	(federal special revenue fiscal 1992)
"10,294"	(state special revenue fiscal 1993)
"19,981"	(federal special revenue fiscal 1993)

107. Page B-12, line 11.

Strike: "689,308	1,612,772	1,728,271	3,811,611"
Insert: "439,308	1,027,848	1,478,271	3,260,249"

108. Page B-12, line 22.

Strike: "1,458,054	3,695,903	3,018,559	7,723,645"
Insert: "1,110,746	2,815,539	2,644,514	6,766,569"

109. Page B-12.
Strike: line 25 in its entirety.

110. Page B-13.
Strike: line 1 in its entirety.
Renumber: subsequent items

111. Page B-13, line 5.
Strike: "1,370,014 3,472,737"
Insert: "1,027,510 2,604,553"

112. Page B-13, line 9.
Strike: "1,227,484 3,140,787"
Insert: "920,613 2,355,590"

113. Page B-13.
Strike: lines 10 and 11 in their entirety.
Renumber: subsequent items

114. Page B-13, line 17.
Strike: "3,536 8,964 7,201 18,424"
Insert: "3,181 8,068 6,354 16,258"

115. Page B-13.
Following: line 23
Insert: "q. Federal Medicaid Reimbursement for State Institutions -- HB 93 (Line Item)
104,334" (federal special revenue fiscal 1992)
"109,288" (federal special revenue fiscal 1993)

116. Page B-14, line 14.
Strike: "57,727 222,173 118,339 455,455"
Insert: "51,952 199,957 104,422 401,908"

117. Page B-14, line 24.
Strike: "8,003 24,057 16,406 49,317"
Insert: "7,204 21,654 14,476 43,520"

118. Page B-15, line 4.
Strike: "1,034,698 365,434 2,170,755 766,667"
Insert: "931,226 328,892 1,916 428 676,848"

119. Page B-15, line 6.
Strike: "363,558 934,862 363,558 934,862"
Insert: "181,779 467,431 181,779 467,431"

120. Page B-15, line 12.
Strike: "897,059"
Insert: "597,059"

121. Page B-17.
Following: line 22
Insert: "The appropriation in item 6q is contingent on passage and approval of House Bill No. 93."

122. Page B-17.

Following: Line 22.
Insert: "The rate increases in items 6e and 6h are funded beginning October 1, 1991. The rate increase in item 6j is funded beginning October 1, 1992."

123. Page B-17.
Following: line 25
Insert: "However, if a subsequent reconciliation concludes that funds transferred from the unreconciled account to the general fund belong to the federal government, the department may request a general fund supplemental appropriation to repay the federal funds.

House Bill No. 903 requires the department to transfer all money in the federal special revenue account (number 03143) associated with the former department of community affairs grant closeouts reported in the April 1990 legislative audit report. If House Bill No. 903 is passed and approved and a subsequent reconciliation of this account concludes that any of the funds transferred from the account to the general fund belong to the federal government, the department may request a general fund supplemental appropriation to repay the federal funds."

124. Page B-18, line 6.
Following: "for a"
Strike: "5%"
Insert: "4.5%"

125. Page B-18, line 7.
Following: "for a"
Strike: "5%"
Insert: "4.5%"

126. Page B-18, line 9.
Following: "for a"
Strike: "5%"
Insert: "4.5%"

127. Page B-18, line 24.
Strike: "81,588 14,398 77,000 13,588"
Insert: "40,794 7,199 38,500 6,794"

128. Page B-19, line 1.
Strike: "19,833,018 2,560,814 20,351,234 2,563,341"
Insert: "19,772,818 2,621,014 20,285,834 2,628,741"

129. Page B-19, line 1.
Strike: "19,833,018 12,154,962 20,351,234 12,306,728"
Insert: "19,813,484 12,118,067 20,340,839 12,198,904"

130. Page B-19.
Following: line 22

Insert: "J. SB 37 -- Aftercare Services (Line Item)
5,105" (general fund fiscal 1992)
"33,613" (general fund fiscal 1993)

131. Page B-20, line 9.
Strike: "35,053 35,338"
Insert: "20,200 20,382"

132. Page B-20, line 10.
Strike: "241,727 68,218 242,609 66,848"
Insert: "164,935 37,502 165,402 36,800"

133. Page C-1, line 18.
Strike: "60,363 60,280"
Insert: "51,269 51,209"

134. Page C-1, line 25.
Strike: line 25 in its entirety

135. Page C-4, line 21.
Strike: "4,067,988 4,100,671"
Insert: "4,082,988 4,115,671"

136. Page C-6, line 3.
Strike: "750,000 750,000"
Insert: "375,000 375,000"

137. Page C-9, line 4.
Strike: line 4 in its entirety

138. Page C-9, line 21.
Following: "Access"
Strike: "EIS"

139. Page C-10, line 5.
Strike: "627,381 8,591,733 629,310
8,591,294"
Insert: "650,694 8,604,831 653,660
8,604,977"

140. Page C-10, line 5.
Strike: "627,381 8,591,733 629,310
8,591,294"
Insert: "642,081 8,604,597 644,010
8,604,158"

141. Page C-10, line 5.
Strike: "627,381 8,591,733 629,310
8,591,294"
Insert: "623,962 8,588,800 625,445
8,587,719"

142. Page C-10, line 5.

Strike: "627,381 629,310"
Insert: "610,274 611,568"

143. Page C-10, line 15.
Strike: "43,098 46,831"
Insert: "48,553 52,945"

144. Page C-10.
Following: line 25
Insert: "k. SB 253 -- Opencut Reclamation (Line Item)
15,500" (state special revenue fiscal 1992)
"15,500" (state special revenue fiscal 1993)

145. Page C-10, line 25.
Strike: "121,721 98,637"
Insert: "133,373 110,265"

146. Page C-11, line 2.
Strike: "724,065 723,184"
Insert: "726,521 725,763"

147. Page C-11, line 2.
Strike: "255,677 255,873"
Insert: "264,865 265,061"

148. Page C-11, line 2.
Strike: "724,065 255,677 723,184 255,873"
Insert: "723,853 255,301 722,843 255,476"

149. Page C-11, line 5.
Strike: "142,657 170,265"
Insert: "92,657 120,265"

150. Page C-12, line 4.
Strike: "125,883 125,883"
Insert: "100,383 100,383"

151. Page C-12.
Following: line 4
Insert: "J. HB 731 -- Streamside Management Zones (Line Item)
52,463" (general fund fiscal 1992)
"37,018" (general fund fiscal 1993)

152. Page C-12, following line 11.
Insert: "The $300,000 general fund appropriation in item 1b is to be used for an economic study ($250,000) of the surface uses of state lands, with emphasis on recreation uses, and for startup costs ($50,000) of the recreational access program mandated in House Bill No. 778. The study of recreational uses must be performed by an economist with experience in analysis of the economic value of recreation."

153. Page C-12.

Following: line 20
Insert: "Item 2k grants spending authority to implement Senate Bill No. 253 and is contingent on passage and approval of Senate Bill No. 253."

154. Page C-13.
Following: line 1
Insert: "Item 4j is contingent on passage and approval of House Bill No. 731."

155. Page C-14, lines 4 and 5.
Strike: lines 4 and 5 in their entirety.

156. Page C-14, following line 16.
Insert: "b. State of Montana, et al. v. United States Army Corps of Engineers, et al. (Line Item)
25,000" (general fund fiscal 1992)

157. Page C-14, lines 23 and 25.
Strike: "Eastern Plains"
Insert: "Statewide"

158. Page C-15.
Following: line 1
Insert: "c. HB 795 -- Montana Community Infrastructure Program (Line Item)
20,000" (general fund fiscal 1992)
"20,000" (general fund fiscal 1993)

159. Page C-15, following line 1.
Insert: "d. HB 701 -- Implementation of Clean Coal Technology Project (Line Item)
20,000" (state special revenue fiscal 1992)

160. Page C-15, following line 1.
Insert: "e. Pay Exceptions (Line Item)
8,361" (state special revenue fiscal 1992)
"8,106" (state special revenue fiscal 1993)

161. Page C-15.
Following: line 20
Insert: "i. Hydrologist Pay Exceptions (Line Item)
71,113" (state special revenue fiscal 1992)
"71,113" (state special revenue fiscal 1993)

162. Page C-15, following line 20.
Insert: "j. Pay Exceptions (Line Item)
27,374" (general fund fiscal 1992)
"90,736" (state special revenue fiscal 1992)
"27,374" (general fund fiscal 1993)
"90,736" (state special revenue fiscal 1993)

163. Page C-15, following line 22.
Insert: "a. Pay Exceptions (Line Item)
3,948" (general fund fiscal 1992)
"7,331" (state special revenue fiscal 1992)
"3,936" (general fund fiscal 1993)
"7,311" (state special revenue fiscal 1993)

164. Page C-15.
Following: line 22
Insert: "b. Hydrologist Pay Exceptions (Line Item)
11,440" (state special revenue fiscal 1992)
"11,410" (state special revenue fiscal 1993)

165. Page C-16, following line 5.
Insert: "d. Pay Exceptions (Line Item)
10,349" (general fund fiscal 1992)
"1,150" (state special revenue fiscal 1992)
"10,042" (general fund fiscal 1993)
"1,117" (state special revenue fiscal 1993)

166. Page C-16, line 13.
Following: "3b,"
Insert: "3d,"

167. Page C-16, line 13.
Following: "Items"
Insert: "1b,"

168. Page C-16.
Following: line 25
Insert: "Item 3d is contingent on passage and approval of House Bill No. 701."

169. Page C-16.
Following: line 25
Insert: "Item 3c is contingent on passage and approval of House Bill No. 795."

170. Page C-19.
Following: line 3
Insert: "The department shall report to the legislative finance committee during fiscal 1992 on the feasibility of the department selling its portfolio of rural assistance program loans to the board of investments, thus enabling it to increase its loan capability."

171. Page C-20, line 3.
Strike: "2,045,341 2,026,214"
Insert: "2,060,341 2,041,214"

172. Page C-20, line 10.
Strike: "184,923 69,615 154,372 58,987"
Insert: "193,548 74,204 162,372 63,243"

173. Page C-21, lines 22 and 23.
Strike: lines 22 and 23 in their entirety.

174. Page C-23, line 2.
Strike: "2,736,349 2,860,208"
Insert: "53,770 53,635"

175. Page C-23, line 5.
Strike: "1,848"

176. Page C-25, line 22.
Strike: line 22 in its entirety

177. Page C-26.
Following: line 1
Strike: lines 2 and 3 in their entirety
Strike: line 4 through "1993."

178. Page C-26, lines 12 through 15.
Strike: lines 12 through 15 in their entirety.

179. Page C-26, line 20.
Strike: line 20 in its entirety

180. Page C-26, lines 22 and 23.
Strike: lines 22 and 23 in their entirety

181. Page D-2, line 6.
Strike: "437,621"
Insert: "258,621"

182. Page D-6, line 4.
Strike: "66,925 66,518"
Insert: "44,617 44,345"

183. Page D-6, line 8.
Strike: "486,395 508,145"
Insert: "336,395 358,145"

184. Page D-7, lines 15 and 16.
Strike: lines 15 and 16 in their entirety.

185. Page D-7.
Following: line 16
Insert: "f. HB 93 -- Utilization Fee on Nursing Facilities (Line Item)
32,370" (general fund fiscal 1992)
"64,740" (general fund fiscal 1993)

186. Page D-7, line 18.
Strike: "370,527 1,447,729 370,527 1,436,103"
Insert: "235,030 1,583,226 235,030 1,571,600"

187. Page D-7.

Following: line 24
Insert: "d. HB 93 -- Utilization fee on Nursing Facilities (Line Item)
16,612" (general fund fiscal 1992)
"33,224" (general fund fiscal 1993)

188. Page D-8, line 3.
Strike: "13,730,699 12,736,519"
Insert: "13,697,614 12,703,338"

189. Page D-8.
Following: line 10
Insert: "a. HB 93 -- Utilization Fee on Nursing Facilities (Line Item)
30,200" (general fund fiscal 1992)
"60,400" (general fund fiscal 1993)

190. Page D-10.
Following: line 1
Insert: "Items 3f, 4d, and 6a are contingent on passage and approval of House Bill No. 93."

191. Page E-1, line 14.
Strike: "2,999,237 2,979,056"
Insert: "3,209,237 3,189,056"

192. Page E-1.
Strike: lines 19 and 20 in their entirety.
Renumber: subsequent items

193. Page E-3.
Following: line 7
Insert: "t. Jobs for Montana Graduates (Line Item)
126,517" (federal special revenue fiscal 1992)
"124,485" (federal special revenue fiscal 1993)

194. Page E-3, line 14.
Insert: "3,908,166" (state special revenue fiscal 1992)
"3,914,457" (state special revenue fiscal 1993)

195. Page E-3, line 19.
Strike: "500,000 500,000"
Insert: "300,000 300,000"

196. Page E-4.
Following: line 19
Strike: line 20 in its entirety
Insert: "40,838" (General Fund Fiscal 1992)
" 3,421" (State Special Revenue Fiscal 1992)
"36,453" (Federal Special Revenue Fiscal 1992)
" 9,285" (Proprietary Fund Fiscal 1992)
"41,119" (General Fund Fiscal 1993)
" 3,415" (State Special Revenue Fiscal 1993)
"36,321" (Federal Special Revenue Fiscal 1993)
" 8,954" (Proprietary Fund Fiscal 1993)

197. Page E-5, line 6.
Strike: "1h"
Insert: "1g"

198. Page E-9, line 1.
Strike: "869,242 857,510"
Insert: "889,442 877,710"

199. Page E-9, line 19.
Strike: "3,636,325 3,832,042"
Insert: "3,785,966 4,215,246"

200. Page E-10, line 25.
Strike: "200,000"
Insert: "150,000"

201. Page E-11, lines 1 and 2.
Strike: lines 1 and 2 in their entirety

202. Page E-11, line 11.
Following: "provides"
Strike: "49% and 50%"
Insert: "51% and 55%"

203. Page E-11, lines 17 through 19.
Strike: lines 17 through 19 in their entirety

204. Page E-12, line 2.
Strike: "15,502,013 15,477,848"
Insert: "15,571,414 15,547,249"

205. Page E-12, line 4.
Insert: "92,000" (general fund fiscal 1992)
"92,000" (general fund fiscal 1993)

206. Page E-12, line 9.
Insert: "120,000" (general fund fiscal 1992)
"240,000" (general fund fiscal 1993)

207. Page E-12, line 17.
Strike: "6,844,627 6,859,354"
Insert: "6,944,011 6,958,738"

208. Page E-12, line 21.
Strike: "81,933 81,933"
Insert: "73,740 73,740"

209. Page E-12, line 23.
Strike: "331,280"
Insert: "281,715"

210. Page E-13, line 2.
Strike: "132,525 132,525"

Insert: "356,876 356,876"

211. Page E-13, line 22.
Strike: "19,624,947 19,590,009"
Insert: "20,127,658 20,651,801"

212. Page E-13.
Following: line 22
Insert: "a. Nursing
313,388" (general fund fiscal 1992)
"584,443" (general fund fiscal 1993)

213. Page E-13.
Following: line 22
Insert: "b. NSF Mathematics Grant Match -- Biennial (Line Item)
1,000,000" (general fund fiscal 1992)

214. Page E-14, line 2.
Insert: "250,000" (general fund fiscal 1992)
"350,000" (general fund fiscal 1993)

215. Page E-14, line 14.
Strike: "83,591 83,591"
Insert: "75,232 75,232"

216. Page E-14, line 16.
Strike: "378,280"
Insert: "321,683"

217. Page E-14, line 20.
Strike: "96,469 96,469"
Insert: "330,386 330,386"

218. Page E-15.
Following: line 1
Insert: "Item 1b is a biennial appropriation and is contingent on the receipt of the national science foundation mathematics grant being awarded to Montana."

219. Page E-15, line 21.
Strike: "38,935 38,935"
Insert: "35,041 35,041"

220. Page E-15, line 23.
Strike: "60,920"
Insert: "51,805"

221. Page E-16, line 2.
Strike: "37,581 37,581"
Insert: "78,515 78,515"

222. Page E-16, line 14.
Strike: "2,894,299 2,872,897"

Insert: "3,243,786 3,106,149"

223. Page E-17, line 3.
Strike: "4,969,178 4,973,623"
Insert: "5,095,376 5,093,179"

224. Page E-17, line 7.
Strike: "39,514 39,514"
Insert: "35,563 35,563"

225. Page E-17, line 9.
Strike: "132,840"
Insert: "112,965"

226. Page E-17, line 13.
Strike: "35,589 35,589"
Insert: "113,957 113,957"

227. Page E-17, line 25.
Strike: "2,310,058 2,568,938"
Insert: "2,508,862 2,767,742"

228. Page E-18, line 9.
Strike: "2,236,809 1,970,045"
Insert: "2,344,737 2,078,045"

229. Page E-18, line 13.
Strike: "44,145 44,145"
Insert: "39,730 39,730"

230. Page E-18, line 15.
Strike: "62,600"
Insert: "53,234"

231. Page E-18, line 19.
Strike: "19,081 19,081"
Insert: "54,272 54,272"

232. Page E-19, line 16.
Strike: "42,786 42,786"
Insert: "38,507 38,507"

233. Page E-19, line 18.
Strike: "36,640"
Insert: "31,158"

234. Page E-19, line 22.
Strike: "21,551 21,551"
Insert: "48,375 48,375"

235. Page E-21, line 11.
Strike: "125,564"
Insert: "81,574"

236. Page E-21, line 15.

Strike: "243,543	85,670	246,380	85,659"
Insert: "115,246	48,423	117,752	48,743"

237. Page E-21, line 25.

Strike: "98,098	70,137	97,890	70,192"
Insert: "33,218	22,573	33,122	22,516"

238. Page E-22, line 15.

Strike: "38,208	1,376	38,209	1,375"
Insert: "30,335	1,090	30,336	1,089"

239. Page E-22, line 23.

Strike: "205,758	207,345"
Insert: "204,590	205,009"

240. Page E-23, line 5.

Strike: "828,123	811,692"
Insert: "826,371	808,188"

241. Page E-23, line 8.

Strike: "1,342,268	1,365,383"
Insert: "1,317,179	1,315,205"

LFA will amend totals.

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Jacobson, Chair	Peck, Chair
Van Valkenburg	Kadas
Nathe	

MESSAGES FROM THE SENATE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 4/29/91

HB 959, introduced by Harrington

Conference committee report #1 adopted: 4/29/91

HB 454, introduced by Cobb

SB 154 - Conference committee report #1 on House amendments to SB 154 was adopted by an affirmative roll call vote of two-thirds of all members of the legislature, on April 29, 1991, on third reading by the Senate.

YEAS - 48
NAYS - 0

HB 5 - Free conference committee report #1 on Senate amendments to HB 5 was adopted by an affirmative roll call vote of two-thirds of all members of the legislature, on April 29, 1991, on third reading by the Senate.

YEAS - 40
NAYS - 10

Free conference committee report #1 adopted: 4/29/91

SB 17, introduced by Blaylock

Governor's amendments concurred in: 4/29/91

HB 803, introduced by Menahan
HB 990, introduced by S. Rice

Governor's amendments not concurred in: 4/29/91

HB 196, introduced by Kilpatrick

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper April 29, 1991
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Harper:

Please be informed that I have signed House Bills 509, HB 568, HB 719, HB 913, HB 987, HB 988 and HB 989 on April 29, 1991.

Sincerely,

STAN STEPHENS
Governor

The Honorable Joseph P. Mazurek April 29, 1991
President of the Senate
State Capitol
Helena, Montana 59620

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

Dear President Mazurek and Speaker Harper:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto the adoption of Senate Bill 267, "AN ACT REQUIRING A PERSON SEEKING EMPLOYMENT AS A SECURITY AGENT DURING A STRIKE TO OBTAIN AN EMPLOYMENT

PERMIT FROM THE DEPARTMENT OF LABOR AND INDUSTRY; PROVIDING AN EXEMPTION FOR CERTAIN PERSONS; ESTABLISHING REQUIREMENTS FOR OBTAINING A PERMIT; PROVIDING FOR COLLECTION AND DEPOSIT OF FEES; PROVIDING AN APPEAL PROCESS FOR DENIAL OR REVOCATION OF A PERMIT; AUTHORIZING THE DEPARTMENT OF LABOR AND INDUSTRY TO ADOPT RULES; REQUIRING THE DEPARTMENT OF LABOR AND INDUSTRY TO MAINTAIN RECORDS; AND PROVIDING FOR PENALTIES."

Senate Bill 267 interferes with the right to contract between businesses and individuals by setting up a cumbersome and time consuming permit process.

In addition, Senate Bill 267 unduly burdens businesses who seek to protect their property during a strike through the hiring of security guards. The bill alleges that many problems might occur if such individuals are hired yet fails to balance this concern with the concern of businesses who feel the need to protect their property.

Senate Bill 267 disrupts the delicate balance between business and labor.

For these reasons, I must veto Senate Bill 267.

Sincerely,

STAN STEPHENS
Governor

MOTIONS

Representative Driscoll moved the rules be suspended to permit placement and consideration of the free conference committee report #1 to HB 2 on second and third reading this legislative day without it first being printed. Motion carried.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Stang in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 959 - Representative Harrington moved Senate amendments to HB 959 be not concurred in.

Representative Mercer made a substitute motion that Senate amendments to HB 959 be concurred in.

Representative Harper made a substitute motion that consideration of Senate amendments to HB 959 be placed below HB 2 on the second reading board. Motion carried.

HB 2 - Representative Peck moved the free conference committee report #1 to HB 2 be adopted.

Representative D. Brown made a substitute motion the free conference committee report #1 to HB 2 be not adopted.

Representative Driscoll moved to call for cloture. Motion carried.

Representative D. Brown's motion failed as follows:

Ayes: Becker, Boharski, Brooke, D. Brown, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, J. DeBruycker, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, Grady, Harrington, Kasten, Kilpatrick, Kimberley, Larson, Lee, McCaffree, McCarthy, McCulloch, Menahan, Messmore, L. Nelson, Nisbet, Pavlovich, Phillips, Quilici, Raney, J. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Wanzenried, Whalen, Wyatt.
Total 48

Noes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Bradley, J. Brown, Clark, Cohen, Cromley, Davis, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Knox, Madison, Measure, Mercer, T. Nelson, O'Keefe, Peck, Peterson, Ream, S. Rice, Simpkins, Spring, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Zook, Mr. Speaker.
Total 52

Voted Absentee: J. DeBruycker, Gervais, Southworth, Steppler, Ayes; Feland, Gould, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Thereupon, the report was adopted.

HB 959 - Representative Harrington moved Senate amendments to HB 959 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Beck, Becker, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet,

O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Scott, Southworth, Spring, Squires, Stickney, Thomas, Toole, Tunby, Zook, Mr. Speaker.
Total 72

Noes: Barnett, Barnhart, Benedict, Bergsagel, Boharski, D. Brown, Cobb, Cody, Connelly, R. DeBruycker, Galvin, Grady, Hayne, Kasten, Lee, McCulloch, Raney, Schye, Simpkins, Stang, Strizich, Swysgood, Thoft, Wallin, Wanzenried, Whalen, Wyatt.
Total 27

Voted Absentee: J. DeBruycker, Feland, Gervais, Gould, Southworth, Ayes.

Excused: Steppler.
Total 1

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Stang moved the adoption of the committee report. Report adopted. (59-35)

MOTIONS

Representative Whalen moved to override the Governor's veto of SB 267. Motion failed.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 5 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 82

Noes: Cohen, Daily, Driscoll, Forrester, Galvin, Harrington, Kasten, McCaffree, L. Nelson, Pavlovich, Quilici, Raney, Steppler, Mr. Speaker.
Total 14

Voted Absentee: Feland, Gould, Ayes; Steppler, No.

Excused: J. DeBruycker, Gervais, Southworth.
Total 3

Absent or not voting: Grady.
Total 1

HB 959, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Feland, Foster, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Spring, Squires, Steppler, Stickney, Thoft, Thomas, Toole, Tunby, Zook, Mr. Speaker.
Total 68

Noes: Barnhart, Benedict, Bergsagel, Boharski, D. Brown, Cobb, Cody, Connelly, R. DeBruycker, Fagg, Forrester, Galvin, Grady, Hayne, Kasten, Lee, McCulloch, Measure, Raney, Schye, Scott, Simpkins, Stang, Strizich, Swysgood, Wallin, Wanzenried, Whalen, Wyatt.
Total 29

Voted Absentee: Feland, Gould, Steppler, Ayes.

Excused: J. DeBruycker, Gervais, Southworth.
Total 3

Absent or not voting: None.
Total 0

HB 2, free conference committee report #1, not adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Bradley, J. Brown, Clark, Cohen, Connelly, Cromley, Davis, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gould, Grinde, H. S. Hanson, M. Hanson, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Knox, Madison, Measure, Mercer, Messmore, T. Nelson, Peck, Peterson, Quilici, Ream, S. Rice, Simpkins, Spring, Thomas, Toole, Tunby, Wallin, Zook, Mr. Speaker.
Total 49

Noes: Becker, Boharski, Brooke, D. Brown, Cobb, Cocchiarella, Cody, Daily, Darko, J. DeBruycker, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, Grady, S. J. Hansen, Harrington, Hayne, Kasten, Kilpatrick, Kimberley, Larson, Lee, McCaffree, McCarthy, McCulloch, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Raney, J. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Wanzenried, Whalen, Wyatt.
Total 50

Voted Absentee: Feland, Gould, Ayes; J. DeBruycker, Gervais, Southworth, Steppler, Noes.

Excused: None.
Total 0

Absent or not voting: Gilbert.
Total 1

SB 246, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cromley, Darko, Davis, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Cobb, Cody, Cohen, Connelly, Daily, Dolezal, Dowell, Driscoll, Forrester, Measure, Pavlovich, Quilici, Raney, Wanzenried, Whalen.
Total 15

Voted Absentee: Feland, Gervais, Gould, Southworth, Steppler, Ayes.

Excused: J. DeBruycker.
Total 1

Absent or not voting: None.
Total 0

MOTIONS

Representative Driscoll moved the House reconsider its action on the free conference committee report #1 to HB 2 taken on third reading this legislative day. Motion carried.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 2, free conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Bradley, J. Brown, Clark, Cohen, Connelly, Cromley, Darko, Davis, R. DeBruycker, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hoffman, J.

Johnson, R. Johnson, Kadas, Keller, Knox, Madison, Measure, Mercer, Messmore, T. Nelson, O'Keefe, Peck, Peterson, Quilici, Ream, S. Rice, Simpkins, Spring, Thomas, Toole, Tunby, Wallin, Zook, Mr. Speaker.
Total 54

Noes: Becker, Boharski, Brooke, D. Brown, Cobb, Cocchiarella, Cody, Daily, J. DeBruycker, Dolezal, Dowell, Forrester, Galvin, Gervais, Grady, Harrington, Hayne, Kasten, Kilpatrick, Kimberley, Larson, Lee, McCaffree, McCarthy, McCulloch, Menahan, L. Nelson, Nisbet, Pavlovich, Phillips, Raney, J. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Wanzenried, Whalen, Wyatt.
Total 46

Voted Absentee: Feland, Gould, Ayes; J. DeBruycker, Gervais, Southworth, Steppler, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SPECIAL ORDERS OF THE DAY

A committee from the Senate consisting of Senators Bengtson, Devlin, Koehnke and Swift notified the House of Representatives that the Senate of the Fifty-Second Legislature has completed its business and is ready to adjourn sine die.

Representative Driscoll moved the Speaker be authorized to appoint a committee of four to notify His Excellency, the Governor, that the House of Representatives of the Fifty-Second Legislature has completed its business and is ready to adjourn sine die. Motion carried.

Speaker Harper appointed Representatives Darko, Bardanouve, M. Hanson and Tunby.

Representative Driscoll moved the Speaker be authorized to appoint a committee of four to notify the Senate that the House of Representatives of the Fifty-Second Legislature has completed its business and is ready to adjourn sine die. Motion carried.

Speaker Harper appointed Representatives Russell, Peck, Kasten and Simpkins.

Speaker Harper dismissed the committees to perform their appointed duties, and the House stood at ease.

The committees appointed to notify the Governor and the Senate returned and informed the House that they had delivered their message. Speaker Harper discharged the committees and thanked the members.

Representative Driscoll moved that joint rule 40-160 of the Fifty-Second Legislature be interpreted to allow five working days after the return of bills from enrolling for signature and delivery to the Governor of all bills passed by the 90th legislative day. Motion carried.

ANNOUNCEMENTS

Mr. Speaker introduced today's pages:

Zak Andersen, Helena
Julie Maloney, Helena
Sky Foster, Helena
Randy Kellogg, Helena
Jon Lingren, Helena
Kelly Clark, Ryegate

Representative Driscoll moved the House adjourn sine die. Motion carried.

House adjourned sine die at 2:35 a.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

ADDENDUM
TO THE
HOUSE JOURNAL

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/30/91

Delivered to the Governor for his approval at 11:20 a.m., 4/30/91: HB 7, HB 93, HB 268, HB 494, HB 518, HB 580, HB 589, HB 597, HB 752, HB 801, HB 963.

Delivered to the Governor for his approval at 2:40 p.m., 4/30/91: HB 196.

Delivered to the Secretary of State at 2:50 p.m., 4/30/91: HJR 47, HJR 48, HJR 49, HJR 54.

5/1/91

Delivered to the Governor for his approval at 2:10 p.m., 5/1/91: HB 999.

5/2/91

Correctly enrolled, 5/2/91: HB 5, HB 20, HB 46, HB 77, HB 125, HB 131, HB 151, HB 179, HB 240, HB 285, HB 340, HB 342, HB 365, HB 391, HB 452, HB 454, HB 559, HB 569, HB 684, HB 691, HB 730, HB 746, HB 758, HB 795, HB 803, HB 804, HB 822, HB 825, HB 846, HB 857, HB 959, HB 973, HB 977, HB 990, HJR 24, HJR 46, HJR 55, HJR 56.

Delivered to the Governor for his approval at 9:55 a.m., 5/2/91: HB 29, HB 33, HB 74, HB 233, HB 360, HB 539, HB 551, HB 677, HB 747, HB 832, HB 1013.

Delivered to the Secretary of State at 10:40 a.m., 5/2/91: HJR 42, HJR 50, HJR 53.

5/3/91

Signed by the Speaker at 10:00 a.m., 5/3/91: HB 5, HB 20, HB 46, HB 77, HB 125, HB 131, HB 151, HB 179, HB 240, HB 285, HB 340, HB 342, HB 365, HB 391, HB 452, HB 454, HB 559, HB 569, HB 684, HB 691, HB 730, HB 746, HB 758, HB 803, HB 804, HB 822, HB 825, HB 846, HB 857, HB 959, HB 973, HB 977, HB 990, HJR 24, HJR 46, HJR 55, HJR 56.

Delivered to the Secretary of State at 11:35 a.m., 5/3/91: HJR 24, HJR 46, HJR 55, HJR 56.

Delivered to the Governor for his approval at 11:40 a.m., 5/3/91: HB 5, HB 20, HB 46, HB 77, HB 125, HB 131, HB 151, HB 179, HB 240, HB 285, HB 340, HB 342, HB 365, HB 391, HB 452, HB 454, HB 559, HB 569, HB 684, HB 691, HB 730, HB 746, HB 758, HB 803, HB 804, HB 822, HB 825, HB 846, HB 857, HB 959, HB 973, HB 977, HB 990.

5/6/91

Signed by the Speaker at 4:25 p.m., 5/06/91: HB 982.

Signed by the Speaker at 12:50 p.m., 5/06/91: HB 995.

Signed by the Speaker at 3:40 p.m., 5/06/91: HB 312.

Delivered to the Governor for his approval at 9:45 a.m., 5/6/91: HB 312, HB 982, HB 995.

Signed by the Speaker at 10:00 a.m., 5/6/91: HB 795.

Delivered to the Governor for his approval at 11:15 a.m., 5/6/91: HB 795.

Signed by the Speaker at 4:30 p.m., 5/6/91: HB 2.

Delivered to the Governor for his approval at 4:55 p.m., 5/6/91: HB 2.

MESSAGES FROM THE GOVERNOR

(The following letter was received
by the Speaker on April 30, 1991)

The Honorable Hal Harper
Speaker of the House
House of Representatives
Capitol Station
Helena, Montana 59620

April 29, 1991

The Honorable Joseph P. Mazurek
President
Montana State Senate
Capitol Station
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto the adoption of House Bill 836, "AN ACT REVISING THE LITTLE DAVIS-BACON ACT TO PROVIDE PENALTIES FOR WAGE VIOLATIONS ON PUBLIC CONTRACTS; REVISING PROCEDURES FOR WAGE CLAIMS; PROVIDING FOR PROCEEDINGS ON PAYMENT OF PREVAILING WAGE RATES BEFORE A DEPARTMENT OF LABOR AND INDUSTRY HEARING OFFICER; PROVIDING A METHOD OF DETERMINING AND PAYING THE STANDARD PREVAILING WAGE; AMENDING SECTIONS 18-2-401, 18-2-407, 18-2-423, 18-2-424, AND 18-2-432, ~~39-3-201, AND 39-3-212,~~ MCA; REPEALING SECTION 18-2-405, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

House Bill 836 contains language which would address a recent federal court decision regarding the method of calculation and payment of fringe benefits in public contracts. House Bill 836 is onerous in its application, punitive in its scope and does little to improve existing law or conditions for workers.

Under the existing Little Davis-Bacon Act, violation enforcement is on a complaint basis -- simple and direct. Upon receiving complaints, the Department of Labor responds by requesting (through subpoena, if necessary) pertinent payroll information directly from the potential offending contractor.

House Bill 836 inserts another entity into the process by requiring weekly certified payrolls to be submitted to a professional representative of the contracting agency. This change would place an enormous burden on public entities and contractors with little public policy or substantive purpose. Existing law adequately protects Montana construction workers.

Further, it is estimated that relatively few complaints are received on an annual basis. In comparison to the significant number of public contracts

administered each year in Montana, the few complaints received does not justify the major change in public policy represented by this legislation.

The protection of wages and fringe benefits to Montana's construction workers is a legitimate exercise of the state's police powers. But, the penalties which are earmarked specifically to the Department of Labor and Industry for enforcement purposes constitute the creation of an onerous and extremely punitive enforcement mechanism. Based upon the number of complaints mentioned above, I find these provisions are not necessary as existing statute can adequately address these violations.

Additionally, it is the intent of this legislation to change the administrative review procedure utilized by the department in determining prevailing wage claim violations. In doing so, the bill proposes to circumvent the use of the Board of Personnel Appeals in the administrative review process by appealing directly to district court following the hearing officer's decision. This desired action is allowable now under existing law.

House Bill 836 also incorporates a change that would require the computation of the standard prevailing wage under more than one method and deviates from the labor/management compromise that was reached in the 1987 legislative session.

After considerable public testimony and legislative scrutiny during the 1987 session, the weighted average was determined to be the fairest method of calculating the standard prevailing wage on a statewide basis. Changing from the use of that compromise position, at this time, is too soon to enable an equitable analysis of the statistical soundness of the method.

For these reasons, I must veto House Bill 836.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

May 3, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bill 354 on May 1, 1991.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper May 16, 1991
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Harper:

Please be informed that I have signed House Bills 74, 93, 131, 312, 365, 494, 539, 589, 758, 803, 804, 846, 857, 973, 977, and 999 on May 15, 1991.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper May 16, 1991
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Harper:

Please be informed that I have signed House Bills 33, 46, 125, 569, 746, 825, 832, and 1013 on May 16, 1991.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper May 17, 1991
Speaker of the House
House of Representatives
Capitol Station
Helena, Montana 59620

The Honorable Joseph P. Mazurek
President
Montana State Senate
Capitol Station
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto the adoption of House Bill 822, "AN ACT ALLOWING THE ELECTORATE OF A TAXING UNIT TO EXEMPT THE TAXING UNIT FROM THE PROPERTY TAX LIMITATIONS SET FORTH IN TITLE 15, CHAPTER 10, PART 4, MCA; AND AUTHORIZING THE

REINSTATEMENT OF THE LIMITATIONS BY THE ELECTORATE OF THE TAXING UNIT."

House Bill 822 removes the last vestiges of I-105, a statewide public referendum of the people who said "no" to more increases in property taxes.

On November 4, 1986, a majority of Montanans told state and local governments that property taxes were excessive. They imposed a tax freeze based upon the 1986 tax level. Gradually, this strong and unequivocal mandate, which was born in the towns and villages of this state and successfully passed by substantial majorities, has been eroded through government's ever increasing appetite for expansion. In the 1989 session, based on school finance reform and judicial decree, the legislature removed I-105 restrictions on elementary and secondary education funding. This legislative assembly has revisited the tax limitation issue many times.

Current law provides an elaborate system whereby voters of any taxing district may approve an emergency budget that permits the governing authority to increase property taxes above the 1986 tax base level. The procedure requires the government to explain through hearings and resolution the need for expanded tax revenue. The taxpayer then has a fair opportunity to accept or reject the explanation and voice his/her opinion at the ballot box. Therefore, a need for unilateral removal of I-105 is not a demonstrated or significant public policy issue.

Further, this legislation will breed additional confusion by checkerboarding tax policy implementation by municipalities, counties and other taxing authorities. Taxpayers could find themselves residing in a geographic area where one taxing authority exceeds I-105 tax limitations and another does not.

The people of Montana have spoken, and I believe we owe that mandate our allegiance until our citizens have collectively changed their minds. Although the power to change this limitation is partially vested in the legislature and the executive, the collective mandate of the majority of Montana property owners and taxpayers is where the ultimate power resides. I cannot allow the last vestiges of tax limitations to be undone without a showing of a compelling public interest. The people's collective decision will be protected by this Governor.

I therefore veto House Bill 822.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

May 20, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 5, 7, 20, 29, 151, 179, 233, 240, 268, 285, 340, 360, 391, 452, 454, 551, 559, 580, 597, 677, 684, 747, 752, 959, and 995 on May 17, 1991.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper
Speaker of the House
House of Representatives
Capitol Station
Helena, Montana 59620

May 23, 1991

The Honorable Joseph P. Mazurek
President
Montana State Senate
Capitol Station
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto the adoption of House Bill 342, "AN ACT MANDATING WORKERS' COMPENSATION COVERAGE FOR INDEPENDENT CONTRACTORS, SOLE PROPRIETORS, WORKING MEMBERS OF A PARTNERSHIP, CORPORATE OFFICERS, AND DEPENDENT MEMBERS OF AN EMPLOYER'S FAMILY WHEN ANY OF THESE PERSONS ARE ENGAGED IN A CONSTRUCTION ~~TRADE~~ INDUSTRY; CREATING REMEDIES FOR FAILURE TO PROVIDE COVERAGE; ~~AND~~ AMENDING SECTIONS 39-71-116, 39-71-401, 39-71-405, 39-71-721, 39-71-723, 39-72-102, AND 39-73-108, MCA; AND PROVIDING AN APPLICABILITY DATE."

House Bill 342 mandates that independent contractors now register for workers' compensation coverage and then provides them the option to opt out of that coverage.

Under current law, independent contractors are automatically excluded from mandatory coverage, though they are eligible to be covered if they so desire. House Bill 342 would essentially maintain the status quo as far as independent contractors and their coverage under workers compensation with one telling exception. This bill would require that they submit extra paper work and undergo some expense to first register and then opt out of workers' compensation coverage.

This is an unnecessary piece of legislation as it now exists and merely increases governmental paperwork and burden upon hardworking Montanans who make such a vital contribution to our state and our economy.

Because it leaves the law essentially the same and merely imposes unnecessary paperwork, I must veto House Bill 342.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper
Speaker
House of Representatives
State Capitol
Helena, Montana 59620

May 23, 1991

The Honorable Joseph P. Mazurek
President of the Senate
Montana State Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto the adoption of House Bill 795, "AN ACT CREATING THE MONTANA COMMUNITY INFRASTRUCTURE ACT; CREATING AN INFRASTRUCTURE TRUST FUND WITHIN THE PERMANENT COAL TAX TRUST FUND; CREATING A SPECIAL REVENUE ACCOUNT FOR INTEREST EARNED ON THE COAL SEVERANCE TAX INFRASTRUCTURE FUND; MAKING INTEREST IN THE SPECIAL REVENUE ACCOUNT AVAILABLE FOR LOCAL INFRASTRUCTURE PROJECTS; AUTHORIZING THE ISSUANCE OF COAL SEVERANCE TAX BONDS FOR THE PURPOSE OF PROVIDING FINANCIAL ASSISTANCE FOR LOCAL GOVERNMENT INFRASTRUCTURE PROJECTS; PROVIDING FOR THE TERMS AND CONDITIONS OF FINANCIAL ASSISTANCE; PROVIDING A METHOD FOR RECOMMENDING PRIORITIES FOR PROJECTS; REQUIRING LEGISLATIVE AUTHORIZATION FOR PROJECTS; APPROPRIATING MONEY IN THE SPECIAL REVENUE ACCOUNT TO THE DEPARTMENT OF COMMERCE FOR USE BY LOCAL GOVERNMENT FORE ENGINEERING STUDIES FOR LOCAL GOVERNMENT INFRASTRUCTURE PROJECTS; AMENDING SECTIONS 17-5-701, 17-5-702, 17-5-703, 17-5-704, 17-5-706, AND 17-5-719, MCA; AND PROVIDING AN EFFECTIVE DATE." This veto is made for the following reasons:

(1) House Bill 795 creates a complex scheme for funding which incudes the subsidy and support of local government debt as a general obligation of the state which carries potentially negative implications for our general obligation bonding program and the state's general fund.

(2) The future of the state's current Water Development Program would be threatened as the new infrastructure program would compete directly, dollar for dollar, for the limited coal severance tax bonding capacity currently available.

(3) Both the public and this legislative assembly have been grossly misled as to the actual ability of this bill to generate revenue. A review of actual spread sheets prepared by the Department of Natural Resources and Conservation and by the Board of Investments based on current investment data and actual coal severance tax revenue performance clearly indicates the proposed program's potential financial performance to be only a fraction of the amount represented by the proponents of this legislation.

(4) In spite of efforts to ensure the legal viability of the proposed program relative to bonding and subsidies, the state's bond counsel has expressed a legal reservation that one aspect of the proposed program could be subject to an interpretation by the U.S. Internal Revenue Service as a violation of their Arbitrage Provisions. If so, the Infrastructure Fund created by this bill could have yield restrictions placed upon its interest earning ability which would reduce even further the projected value of the program as proposed and prove extremely costly to the state in terms of lost earning power by that portion of the Coal Tax Trust Fund.

(5) The proposed program will not fund a single project and will not create a single new job in the next two years. There is absolutely no return to the public in the form of new tax revenue or reduced costs to offset the loss of over a million dollars to the state general fund in lost interest income during that same period.

(6) By analyzing actual public facility funding needs across the state, House Bill 795 will only prove to be of marginal assistance to those communities with the most pressing needs. The bill's arbitrary limits on project size and funding participation levels demonstrate a complete lack of understanding of the infrastructure funding problem facing our local communities.

According to recent studies conducted by both the Department of Commerce and Montana State University's Local Government Policy Center, the majority of Montana's smaller cities and towns will not benefit from a state program to provide low interest loans for water and sewer systems because those communities lack the financial capacity to service large amounts of debt, regardless of what the interest rate might be.

(7) While technically legislative approval of House Bill 795 did not require a 3/4 majority vote of the legislature, it is clear that any bonding for projects under the bill will require a 3/4 vote and any debt service subsidy of projects will require a 2/3 vote. By postponing the "super" majority vote issue, House Bill 795 has effectively shifted the political burden onto the projects themselves, rather than on the need for the program as a whole. The net effect is that hundreds of thousands of dollars could be spent in planning and engineering for projects that might never be approved for construction. By avoiding the 3/4 vote issue, House Bill 795 has not answered the question as to whether or not the legislature has really made the necessary commitment to funding infrastructure repair and replacement.

(8) The legislature failed to provide funding for the administration of the program for the coming biennium. House Bill 795 outlines a complex series of responsibilities for the Department of Commerce, including the

research and drafting of administrative rules; working with local governments on application preparation; reviewing applications and preparing recommendations as to ranking on the appropriate forms of financial assistance, et. In spite of these anticipated expenses being clearly identified by the fiscal note prepared by the Office of Budget and Program Planning, the legislature failed to provide any funds for these administrative functions. (Current projected administrative expenses for the Department of Commerce to administer House Bill 795 as passed by the legislature are $189,769 for FY92 and $220,688 for FY93.)

It is clear to me that in the haste to develop a political alternative to this administration's infrastructure initiative, The Big Sky Dividend, the legislature has created a seriously flawed program that, if functional at all, will be of only marginal utility in addressing the state's pressing infrastructure problems.

I feel it would be a cruel hoax to play upon the people of Montana to represent this program as any sort of meaningful solution to the pressing infrastructure funding problems facing virtually every community in this state. I, therefore, veto House Bill 795.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

May 24, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 2, 77, and 518 on May 23, 1991.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

May 24, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 691 and 990 on May 24, 1991.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

May 24, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bill 963 on May 24, 1991.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper
Speaker of the House
House of Representatives
Capitol Station
Helena, Montana 59620

May 24, 1991

The Honorable Joseph P. Mazurek
President
Montana State Senate
Capitol Station
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

I proposed numerous amendments to House Bill 196. In my amendatory veto message, I expressed concern regarding several provisions of this legislation. All amendments were rejected and the bill was returned to me in the original form.

House Bill 196 would create a legislative commission to oversee economic development planning within the executive branch of state government. Statutorily, the Department of Commerce is assigned these responsibilities (see sections 90-1-102 through 90-1-105, MCA). I am troubled by the erosion of responsibilities of the executive branch of state government as delineated by our state Constitution.

This legislation raises issues of constitutional separation of powers. Representatives of the legislature would have voting powers on a commission which has authority to supervise the activities of the department's staff, including the authority to allocate and spend monies appropriated to the department. I respect the powers and wishes of the legislature. However, I must object to legislation that crosses the line of usurping the authority of another branch of state government. Administration and executing laws is vested in the executive.

The membership of the commission established by this legislation sets aside two very important industrial sector representatives namely manufacturing and high technology. In addition, several other important elements of our economy, who are active participants in economic development, are excluded from the commission. The individual sectors excluded include telecommunications, transportation and public utility representatives.

The legislation duplicates similar efforts that are already in progress or in planning within the executive branch. The Governor's Science and Technology Advisory Council is developing a state science and technology policy and plan, an important part of which is the value adding potential of high technology. In addition, the Department of Commerce has already applied for economic development planning funds from the U.S. Economic Development Administration to support a statewide economic development planning effort to be established and organized by a Governor's Executive Order.

Montana is in need of an overall economic development strategy and plan of which value-adding will be an important component. This administration's efforts, through the Department of Commerce will be aimed at addressing the whole issue, including value-added, utilizing a broad representation of Montana interests. The goals and objectives of this legislation are timely, but they can be accomplished more appropriately through the executive branch of government.

I, therefore, veto House Bill 196.

Sincerely,

STAN STEPHENS
Governor

The Honorable Hal Harper
Speaker of the House
House of Representatives
Capitol Station
Helena, Montana 59620

May 24, 1991

The Honorable Joseph P. Mazurek
President
Montana State Senate
Capitol Station
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto the adoption of House Bill 730, "AN ACT REQUIRING A RAILROAD TO MAINTAIN AND STAFF FACILITIES IN EACH COUNTY AND IN EACH CITY OR TOWN WITH A POPULATION OF 2,000 OR MORE; REQUIRING THE COMMISSION, IN DETERMINING PUBLIC CONVENIENCE AND NECESSITY, TO CONSIDER

ANY OTHER FACTORS THAT ARE CONVENIENT AND NECESSARY TO PROMOTE SAFE, ADEQUATE, AND JUST AND REASONABLE RAIL SERVICE FOR THE RAILROAD'S PATRONS, ITS EMPLOYEES, AND THE PUBLIC; AMENDING SECTION 69-14-202, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

House Bill 730 takes Montana rail transportation back to the 1900's. No other state in the union requires their railroad system to maintain and staff facilities in each county and in each city or town with a population of 2,000 or more. This law is an antiquated throwback to the days when station agents loaded passengers and freight and prior to modern telecommunications.

In 1987, this legislative assembly removed the arbitrary population standard and allowed railroads to petition the Public Service Commission to close agencies. Railroads are now required to demonstrate to the Commission that the agencies are not needed. In most instances, when Burlington Northern has petitioned for a closure of an agency and shippers oppose the closure, the Commission has denied Burlington Northern's ability to close the agency. The shipper's interests are protected.

House Bill 730 will alter the progress railroads have made to provide cost-effective service to Montana. In its present form, the arbitrary standard adopted by the legislation bears no relationship to the needs of the shippers or the communities. The bill replaces the current administrative process whereby the Public Service Commission conducts a local hearing, receives testimony and other evidence, evaluates the need for the agency and then grants or denies its closure.

Montana is a resource state. Its lifeblood flows because of a transportation system that permits our producers to transport the raw commodities to distances far beyond our borders. Passage of this punitive legislation will choke this essential transportation network and build the isolation barriers this state has placed around itself for too long. This legislation will saddle Montana shippers with an extra $1 million or more of annual costs.

North Dakota, Wyoming and Oregon combined, presently have 15 agencies. Montana has 23 agencies. Government interference in this competitive and essential service without demonstrated public policy is unwarranted.

I have been assured by executive officials of the Burlington Northern Railroad that the future operation of Amtrak service through the hi-line area is not connected by agency closures. Particularly, Amtrak service to cities like Wolf Point and Malta will not be affected by any agency closures. The continuance of Amtrak service is not dependent on the continuance of Burlington Northern's agencies. Rather, it is contingent upon the business that Amtrak derives at the location. I have attached a letter addressed to Senator Dennis Nathe from Mr. D.G. Anderson, General Manager, Montana Division. I intend to carefully monitor this situation.

It has been demonstrated in recent years that agency closures do not cost agents their jobs and that closures are not preludes to abandonment of rail lines. Recent history also reflects that Burlington Northern has increased

its freight service by 23% since adopting a centralized system. That means more jobs and placing Montana more competitively in the national and international markets. It's time to tear another wall down and open Montana to the world economy.

I, therefore, veto House Bill 730.

Sincerely,

STAN STEPHENS
Governor

SPECIAL ORDERS OF THE DAY

The Honorable Hal Harper
Speaker of the House
9 Comstock Rd.
Helena, MT 59601

May 31, 1991

Dear Speaker Harper:

The poll of the Legislature on the Governor's veto of House Bill 836 was conducted at 5 p.m. Thursday, May 30, counting ballots received as of that time.

The veto has been upheld, with fewer than two-thirds of the Senate and the House voting to override the veto.

The Final Results are:

House Bill 836

	FOR	AGAINST	NOT VOTING
House members	54	41	5
Senate members	26	23	1

A copy of the tally for the votes is enclosed.* Please let me know if I can provide further information.

Sincerely,

MIKE COONEY
Secretary of State

* Copies of vote tallies can be obtained from the Secretary of State's office.

The Honorable Hal Harper
Speaker of the House
9 Comstock Rd.
Helena, MT 59601

July 1, 1991

Dear Speaker Harper:

The poll of the Legislature on the Governor's vetoes of House Bills 196, 342, and 801 was conducted at 5 p.m. Friday, June 28, 1991, counting ballots received as of that time.

All three vetoes have been upheld, with fewer than two-thirds of the Senate and the House voting to override the vetoes in each instance.

The final results are:

House Bill 196

	FOR	AGAINST	NOT VOTING
House members	58	40	2
Senate members	24	24	2

House Bill 342

House members	55	41	4
Senate members	25	22	3

House Bill 801

House members	41	52	7
Senate members	13	35	2

A copy of the tally for the votes is enclosed.* Please let me know if I can provide further information.

Sincerely,

MIKE COONEY
Secretary of State

* Copies of vote tallies can be obtained from the Secretary of State's office.

Pursuant to section 2-15-2021(2), MCA, Mr. Speaker appointed Representative Bill Strizich to the Gaming Advisory Council.

Pursuant to section 5-11-402(2), MCA, Mr. Speaker appointed Chief Clerk Joyce Andrus to the Legislative Branch Computer System Planning Council.

Pursuant to section 5-11-402(3), MCA, Representative Menahan (Chair, Legislative Administration Committee) appointed Representative Jerry Nisbet to the Legislative Branch Computer System Planning Council.

Pursuant to Title 5, Chapter 13, MCA, Mr. Speaker appointed Representative John Cobb, Representative Mike Kadas, Representative Bob Pavlovich, and Representative Larry Grinde to the Legislative Audit Committee.

Pursuant to section 53-2-1110, MCA, Mr. Speaker appointed Representative H. S. "Sonny" Hanson, Representative Dave Wanzenried, Representative John Cobb, and Representative Carolyn Squires to the Job Training Partnership Act Review Committee.

Pursuant to Chapter 465, Laws of 1991, Representative Mercer appointed Representative Steve Benedict and Representative H. S. "Sonny" Hanson to the Joint Select Committee on Workers' Compensation.

Pursuant to Chapter 526, Laws of 1991, Mr. Speaker appointed Representative Ben Cohen and Representative Chuck Swysgood to the Joint Committee on Postsecondary Education Policy and Budget.

Pursuant to Chapter 546, Laws of 1991, Mr. Speaker appointed Representative Gary Beck, Representative Don Steppler, Representative Char Messmore, and Representative Chuck Swysgood to the Select Study Committee on The Montana State Hospital at Galen and at Warm Springs.

Pursuant to Chapter 602, Laws of 1991, Mr. Speaker appointed Representative Steve Benedict and Representative Don Larson to the Legislative Consulting Panel to the Advisory Council for the Microbusiness Finance Program.

Pursuant to Chapter 630, Laws of 1991, Mr. Speaker appointed Representative Mary Ellen Connelly and Representative Mercer appointed Representative Chuck Swysgood to the Pacific Northwest Economic Region Committee.

Pursuant to Chapter 651, Laws of 1991, Mr. Speaker appointed Representative Vivan Brooke and Representative Bob Clark to the Women's Correction Center Site Selection Committee.

Pursuant to Senate Joint Resolution 26, Mr. Speaker appointed Representative Arlene Becker, Representative Mark O'Keefe, Representative Tom Nelson, and Representative Rolph Tunby to the interim committee to study mandated health insurance benefits.

Pursuant to Senate Joint Resolution 27, Mr. Speaker appointed Representative Paula Darko, Representative Alvin Ellis, Representative Scott McCulloch, and Representative Fred Thomas to the interim committee to study remaining school funding equity issues.

Pursuant to House Joint Resolution 50, Mr. Speaker appointed Representative Francis Bardanouve, Representative Ernie Bergsagel, Representative Vicki Cocchiarella, and Representative Vern Keller to the

interim committee to study each of the public employee retirement systems described in Title 19, MCA.

Pursuant to House Joint Resolution 54, Mr. Speaker appointed Representative Tim Dowell, Representative Gary Feland, Representative Royal Johnson, and Representative Diana Wyatt to the interim committee on children and families.

IN MEMORIAM - AL NEWBY

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fifty-Second Legislative Assembly of the State of Montana record the passing of **Al Newby** on August 14, 1987 in Bozeman, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Newby be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Representative Al Newby was born on December 16, 1912 in Portland, Oregon, the son of Albert and Sadie Newby. He grew up in the Portland area and attended schools there.

Al Newby began his lifelong interest in flying planes in 1937. He joined the Air Transport Command in World War II and spent a year in India and China flying freight planes and guiding lost pilots. He returned to Bozeman upon retirement in 1972 as a Lieutenant Colonel. After working for Lynch Flying Service in Bozeman, Mr. Newby purchased the Bozeman branch, renamed it Flight Line, Inc. and continued his varied, and pioneer career in the air service business until 1980, when his son Paul bought the company. Al logged over 24,000 hours of flight time in his lifetime.

Representative Newby was a member of the Belgrade City Council for two terms in the mid-1950's. He was elected to the Montana House of Representatives as a Republican from Gallatin County and served in the 1967 and 1969 sessions. Al and his wife Thelma co-chaired the Gallatin County Republican Central Committee.

He was a member of the Montana Aeronautics Commission, the OX-5 Aviation Pioneers, the Montana Aviation Tades Commission, the Masonic Lodge, and was Past Grand Master of the Grand Lodge, AF and AM of the state of Montana.

Representative Al Newby is survived by his wife Thelma of Belgrade, son Paul of Bozeman, daughter Alison of Belgrade, and four grandchildren.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the Honorable Al Newby and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fifty-Second Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives, be transmitted to the surviving members of Representative Al Newby's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

IN MEMORIAM - J.O. "BOOTS" ASBJORNSON

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fifty-Second Legislative Assembly of the State of Montana record the passing of **J. O. "Boots" Asbjornson** on August 6, 1990 in Lewistown, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Asbjornson be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Representative "Boots" Asbjornson was born in 1911 in Minneota, Minnesota, and came to Montana with his parents in 1913. He attended Winifred High School and the Dunwoody Industrial Institute. He, his father and brother formed the Winifred Light, Heat and Power Company. In 1942 he was instrumental in forming the Asbjornson Implement Co. of Denton and Winifred. He married Dorothy Erickson of Billings in 1934. They had two sons.

Representative Asbjornson was elected to the Montana House of Representatives as a Fergus County Republican in 1960, and he served 14 years in the Legislature. He was named Chairman of the Legislative Review Committee in 1969 and was an advocate for rural electric co-ops during his tenure in the House.

During the fifteen years he was Mayor of Winifred a municipal water and sewer system was installed. Boots served on the Winifred School Board, the Central Montana Hospital Board and the Central Montana Fair Board.

Boots Asbjornson was one of seven Montanans to receive a Jefferson Award for public service in 1978, and he later received one of nine National Jefferson Awards. Representative Asbjornson was also an avid pilot for thirty years. He was a member of the Masonic Lodge, Al Bedoo Shrine Temple, Central Montana Shrine Club, the Eagles Lodge, and Rotary.

He is survived by his wife Dorothy, of Lewistown; two sons, Norman of Tulsa, Oklahoma and Ray, of Madison, Wisconsin; and five grandchildren.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the Honorable J. O. "Boots" Asbjornson and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fifty-Second Legislative Assembly, and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives be transmitted to the surviving members of Representative Asbjornson's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

IN MEMORIAM - RUSSELL "BOSS" BAETH

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fifty-Second Legislative Assembly of the State of Montana record the passing of **Russell "Boss" Baeth** on November 26, 1988 in Kalispell, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Russell Baeth be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Representative "Boss" Baeth was born on March 14, 1915 in Malta. He resided in Malta until he moved to Libby, where he completed his education. In 1936 he Married Irene Coffman. They have two daughters, seven grandchildren, and 16 great-grandchildren.

"Boss" Baeth worked for the J. Neils Lumber Company in Libby and for the U.S. Forest Service. In 1949 he moved to Martin City, where he worked on the Hungry Hose Dam project, and he later worked for the Anaconda Aluminum Company. He owned the Martin City Water Company and Primitive Area Packing for several years.

Representative Baeth was elected to the Montana House of Representatives in 1974 and served two terms as a Flathead County Democrat. He served on the Fish and Game, and Highways and Transportation Committees.

Mr. Baeth enjoyed a life of community service. He served as president for the Montana Pilots' Association, was a member of the Board of the Glacier Park International Airport, belonged to the Martin City Lions Club, the Eagles Lodge, and he was a charter member of the Flathead County Sheriff's Posse. He also helped organize the Flathead County Junior Posse. He enjoyed travel in this country and abroad.

Representative Baeth is survived by his wife Irene of Martin City, his daughters Lois Gilham, of Martin City and Marie Hanson of Columbia Falls, three brothers and six sisters.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the Honorable Russell "Boss" Baeth and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fifty-Second Legislative Assembly, and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives be transmitted to the surviving members of Representative Baeth's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

IN MEMORIAM - ELMER SCHYE

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fifty-Second Legislative Assembly of the State of Montana record the passing of **Elmer Schye** on January 21, 1988 in White Sulphur Springs, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Elmer Schye be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Representative Elmer Schye was born in Viroqua, Wisconsin. He moved to Montana with his parent, Ted and Selina Schye, who homesteaded near Ismay. He received his education at Ismay and attended the Montana Polytechnic Institute in Billings, Montana.

Elmer worked as a general contractor for the Schye and Sullivan Company for nearly forty years. His firms did highway, bridge and general contracting throughout Montana. In 1938 he married Virginia Anderson in White Sulphur Springs.

Representative Schye was elected to the Montana House of Representatives as a Meagher County Republican in 1960 and served for seven legislative sessions, from 1961 to 1967 and again from 1973 to 1975. The Dean of the House, Representative Francis Bardanouve, remembered him with these comments. "Elmer was a person of strong convictions and was a tough, tenacious fighter in defense of his viewpoints. Honesty was one of Elmer's strong virtues. He fiercely fought any form of dishonesty or trickery."

He led an active public life, serving as president of the Montana Contractor's Association and the Mayor of White Sulphur Springs, for six years. Representative Schye was a master of the Diamond City Masonic Lodge and was a member of the Algeria Circus Patrol. the Al Bedoo Shrine and the Blue Lodge.

Representative Schye is survived by his wife Virginia, son Bill Schye of Colstrip, brothers Garry of Miles City and Jack of Glasgow, three grandchildren and two great-grandchildren.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the Honorable Elmer Schye and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fifty-Second Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives, be transmitted to the surviving members of Representative Schye's family and that an original copy of this memorial be filed with the Montana Historical Society.

IN MEMORIAM - EUGENE SPILDE

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fifty-Second Legislative Assembly of the State of Montana record the passing of **Eugene Spilde** on January 7, 1990 in Helena, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Eugene Spilde be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Representative Eugene Spilde was born on February 4, 1907 in Deerfield, Wisconsin. He attended schools in Wisconsin, and then he came to Montana in 1923. For eight years he worked on ranches near Ingomar and worked on the Fort Peck dam for two years.

In 1931, Eugene moved to Forsyth and began working at the Joseph Hotel and Cafe, which he purchased in 1940. He joined the Merchant Marine in 1943, serving overseas for three years. When he returned to Montana in 1943, Representative Spilde bought the Grand Hotel in Big Timber. He and Helen Hollowell were married in 1950 in Odgen, Utah and raised their family in Big Timber.

Representative Spilde was elected to the Montana House of Representatives as a Republican in 1961. He served Sweet Grass County for three terms and Sweet Grass, Wheatland and Stillwater Counties for three terms, for a total of 13 years of legislative service. Gene continued to be involved by lobbying for agricultural groups for several legislative sessions.

Representative Eugene Spilde is survived by his wife Helen, daughters Karen Cremer and Jean Ann Pfahler, one granddaughter and three grandsons.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the Honorable Eugene Spilde and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fifty-Second Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives, be transmitted to the surviving members of Representative Spilde's family and that an original copy of this memorial be filed with the Montana Historical Society.

IN MEMORIAM - FLORIAN BALDWIN

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fifty-Second Legislative Assembly of the State of Montana record the passing of **Florian Baldwin** on December 14, 1990 in Roundup, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Baldwin be filed on the official records of this Assembly, and the following facts relative to his career are hereby noted:

Florian Baldwin was born on May 12, 1906 in Thornfield, Missouri. In 1912 he moved with his aunt and uncle, Abner and Ida Norris, to a homestead near Roundup. He attended schools in Roundup, where his family later lived, and he remained in the area for most of his life. He was a very versatile man, having worked in grocery stores as a delivery boy, as a local coal miner, and also as a mechanic.

He married Agnes Morgan in 1930 in Kingman, Arizona and served in the United States Air Force during World War II. After his discharge he returned to Montana, where he owned Gambles stores in Hardin and Roundup.

Florian Baldwin was elected to the Montana House of Representatives as a Musselshell County Republican in 1961. He served two sessions in the Legislature. He was a member of the Roundup Masonic Lodge and the Roundup Volunteer Fire Department.

Representative Baldwin owned and operated a wheat ranch near Roundup, which he kept until his retirement. He was also an enthusiastic pilot and fisherman. He especially enjoyed flying to various fishing lodges in Canada.

Representative Baldwin is survived by his wife Agnes in Roundup, a brother Orland " Jiggs" Baldwin of Portland, a niece and nephew.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the Honorable Florian Baldwin and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fifty-Second Legislative

Assembly, and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives, be transmitted to the surviving members of Representative Baldwin's family as hereinabove listed and that an original copy of this memorial be filed with the Montana Historical Society.

IN MEMORIAM - GENE DONALDSON

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fifty-Second Legislative Assembly of the State of Montana record the passing of **Gene Donaldson** on September 15, 1987 in Helena, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Donaldson be filed on the official records of this Assembly, and the following facts relative to his career are hereby noted:

Gene Donaldson was born in 1935 in Helena. He graduated from Helena High School in 1952 and received a degree in Agricultural Engineering in from Montana State University. He Married Beverly Jean Hart in 1958. Gene was a rancher through his life. He was a member of the Montana Farm Bureau, Feeder Cattle Association, Port Producers, and Montana 4-H Foundation.

Two key components to Gene's life were his dedication to his family and his commitment and public service to Montana. After serving twelve years on the Helena High School Board and eight years as chairman of the State Board of Livestock, he was elected to the House of Representatives in 1978 and served until his death. No one who served with Gene in 1987 will forget his courage in carrying on the leadership of the Appropriations Committee while he was very ill.

Representative Donaldson always found time in his busy schedule to welcome and encourage new freshmen, discuss any issue that was nagging his committee members, and make every public spokesman feel like a welcome part of the political process. With Gene, partisanship never came bursting forth, although no one would have questioned his credentials as a dedicated Republican. He was always ready to throw his weight and influence behind good ideas regardless of their source, and one could well say of him that his effectiveness and ability to get things done came from a total lack of concern about who would get the credit.

Gene received the Blue and Gold Award from Montana State University, and the Robert Pantzer Award from the University of Montana.

Representative Donaldson is survived by his wife Bev, of Helena; daughters Denise Johnson, of Billings and Colleen Howell, of Bozeman; a son David Donaldson, of Helena; and his parents, Mr. and Mrs. Myrlin Donaldson, of Helena.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the Honorable Gene Donaldson and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fifty-Second Legislative Assembly, and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives be transmitted to the surviving members of Representative Donaldson's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

IN MEMORIAM - HENRY SCHEPENS

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fifty-Second Legislative Assembly of the State of Montana record the passing of **Henry Schepens** on February 26, 1991 in Sidney, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Henry Schepens be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Representative Henry Schepens was born April 7, 1915 in Glendive, Montana, the son of John and Ernestena Schepens. He attended local schools and graduated from Dawson County High School in 1933. He joined the United States Army, served in the Battle of the Bulge during World War II and returned to Montana upon discharge in 1946. In 1952 he and Edna Wegley Smith were married in Sidney, Montana.

Henry Schepens was elected to the Montana House of Representatives in 1972 and served two sessions as a Richland County Democrat.

Representative Schepens enjoyed an active life of public service. In addition to his terms as a legislator, he served on the Richland County Housing Authority Board and the Richland County Tax Appeals Board. He was a member of VFW Post #4099 and the Pella Lutheran Church. He was an avid gardener, fisherman and collector of antiques and clocks.

Representative Schepens is survived by three sons, John Schepens and Wesley Smith, both of Sidney, and Donald Smith of Vista, California; a daughter Marilyn Bakken of Billings; nine grandchildren and one great granddaughter.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the Honorable Henry Schepens and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fifty-Second Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives, be transmitted to the surviving members of Representative Schepens's family and that an original copy of this memorial be filed with the Montana Historical Society.

IN MEMORIAM - JAMES E. MURPHY

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fifty-Second Legislative Assembly of the State of Montana record the passing of **James E. Murphy** on April 10, 1990 in Kalispell, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Murphy be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

James Murphy was born on November 6, 1910 in Laredo, Missouri. He graduated from Laredo High School in 1928 and worked on the Milwaukee Railroad for two years. He then attended William Jewell College, graduated in 1935, and received a law degree from George Washington University Law School in 1939. Mr. Murphy was elected to the Missouri State Legislature during the time he practiced law in Laredo and Trenton. He practiced law in Kalispell throughout his career.

After serving three years in the United States Army during the Second World War, James Murphy married Sylvia Brassett in La Jolla, California in 1944. They settled in the Flathead Valley in 1946.

James Murphy was elected to the Montana House of Representatives in 1967 and served as a Republican from Flathead County. He also served as GOP National Committeeman from Montana and chaired the Executive Committee of the Montana State Republican Committee. Rep. Murphy was a member of the Columbia Interstate Compact Commission, Pacific Northwest River Basis Commission, and the National Water Commission.

Representative Murphy enjoyed an active civic life. He served as Kalispell City Attorney, was president of the Kalispell Chamber of Commerce, and was a member of on many local organizations.

Representative Murphy is survived by his wife Sylvia of Sommers, a daughter, Mary Pat Murphy of Anchorage, Alaska and three sisters.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the Honorable James E. Murphy and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fifty-second Legislative Assembly, and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives, transmit to the surviving members of Representative Murphy's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

IN MEMORIAM - JOHN STAIGMILLER

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fifty-Second Legislative Assembly of the State of Montana record the passing of **John Staigmiller** on November 3, 1989 in Miles City, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative John Staigmiller be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Representative John Staigmiller was born January 26, 1907 in Great Falls, Montana. He grew up on his family ranch near Eden and attended Black Butte and Boston Coulee schools. He worked on the family ranch, ran trap lines and trucked grain for several years. On August 3, 1933 John and June Ely of Sun River were married in Helena and settled on a ranch adjoining the Staigmiller family ranch.

During the Depression John worked for the Anaconda Company at the smelter in Great Falls, then as a carpenter for the Works Progress Administration, and in 1939 became the manager of the grain elevator at Giffen. John and his brother operated the family ranch from 1949 until 1969, when John sold it to his son Kenneth. After retiring from ranch life and moving to Cascade, John Staigmiller continued his interest in agriculture as a state brand inspector.

A friendly political argument led Representative Staigmiller to run for the Montana House of Representatives in 1966. During his seven sessions in the House he served as chairman of the Fish and Game Committee and on the Highways, State Administration, Agriculture, and the Bills and Journals committees. As both a sportsman and rancher, he attempted to balance interests of both sides in the Legislature.

Representative Staigmiller is survived by daughters Marlene Leiva and Connie Rae Watson; a son, Robert of Miles City; eleven grandchildren and eleven great-grandchildren.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the Honorable John Staigmiller and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fifty-Second Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives, be transmitted to the surviving members of Representative Staigmiller's family and that an original copy of this memorial be filed with the Montana Historical Society.

IN MEMORIAM - LES KITSELMAN

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fifty-Second Legislative Assembly of the State of Montana record the passing of **Les Kitselman** on November 12, 1987 in Billings, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Les Kitselman be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Les Kitselman was born in 1946 in Philadelphia, the son of Franklin and Mildred Kitselman. He grew up and attended school in Bryn Mawr where he was honored as an Eagle Scout and a state wrestling champion. He attended Hiram Scott College in Scottsbluff, Nebraska and graduated form Rocky Mountain College in Billings. On April 12, 1969 he married Pamela Wilson in Burlington, Vermont.

Representative Kitselman served four terms in the Montana House of Representatives as a Republican representing Yellowstone County, with assignments to the Business, Education, and Local Government Committees. He served as Chairman of the House Business Committee.

He was active in many community service organizations, including the Billings Heights Kiwanis Club, Masonic Lodge, and Parents Let's Unite for Kids. Les served as a board member for the Billings Sheltered Workshop and the Billings Area Chamber of Commerce, the Billings City-County Planning Board and the County Zoning Board.

A United States Army veteran, Les Kitselman was a captain in the Montana National Guard. He worked as an insurance agent for the J&A Insurance Company in Billings and the G.T. Murry Company in Helena, Montana.

Representative Kitselman is survived by his wife Pamela and son Bryan of Billings, his mother Mildred Kitselman of Bryn Mawr, two sisters, Sandy and Jeanne, and brother Charles.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the Honorable Les Kitselman and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fifty-Second Legislative Assembly, and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives, be transmitted to the surviving members of Representative Kitselman's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

IN MEMORIAM - M. F. KELLER

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fifty-Second Legislative Assembly of the State of Montana record the passing of **M. F. Keller** on June, 27, 1990 in Great Falls, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative M. F. Keller be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

M. F. Keller was born on December 31, 1915. He graduated from the University of California with degrees in physics and optometry and established an optometry practice in Great Falls in 1938. He married Mary Robischon in September if that year in Kalispell.

"Doc" Keller served three terms in the Montana House of Representatives as a Cascade County Republican, with a three year stint as Chairman of the Montana Republican Party from 1966 to 1969 sandwiched in between. Representative Keller resigned the GOP chairmanship in 1969 and unsuccessfully sought the Republican party nomination for the Easter Montana District Congressional seat. He was re-elected to the Montana House in 1970.

He was a member of the state Welfare Board during the 1950's and was an early advocate of equalizing statewide the cost of providing welfare benefits. In 1989 Governor Stan Stephens appointed Representative Keller to the State Board of Health and Environmental Sciences.

Dr. Keller was a member of several community organizations, and he remained active in the optometry field well beyond retirement age. He was the oldest person to be therapeutically certified in drug treatment by the American Optometric Association. As a member of a team of optometrists, Dr. Keller traveled to Honduras for two weeks in 1990, providing free eye care to residents of that country.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the Honorable M. F. Keller and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fifty-Second Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives, be transmitted to the surviving members of Representative Keller's family and that an original copy of this memorial be filed with the Montana Historical Society.

IN MEMORIAM - NELS HEMSTAD

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fifty-Second Legislative Assembly of the State of Montana record the passing of **Nels Hemstad** on April 16, 1989.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Nels Hemstad be filed on the official records of this Assembly, and the following facts relative to his career are hereby noted:

Nels Hemstad was born December 23, 1912 in Wildrose, North Dakota. Nels was the oldest of five sisters and a brother. In 1924 his family moved to the Dutton area to farm, which Nels continued to do until his death. On January 4, 1937 he and Irene Wiprud were married. His main interest was his family, and he was always proud of their accomplishments.

Nels was also a community leader. He served as Board President of the Farmers Mercantile Co. of Dutton, and Dutton Farmers Elevator, as well as serving on the board of the Montana Bank of Great Falls and the Dutton School Board. He was a charter member of the Dutton Lions Club and the Dutton Volunteer Fire Department, and he was a member of the Bethany Lutheran Church, Masonic Lodge and Baghdad Shrine, Elks Lodge, and Meadow Lark Country Club.

Representative Nels Hemstad served four terms as a Republican from Teton County in the Montana House of Representatives in the 1963, 1967, 1969, and 1971 sessions.

Representative Hemstad is survived by his wife Irene; four daughters, Myrl DeBruycker, Vickie Hemstad, Jean Schoonover and Linda Olson; eight grandchildren and three great-grandchildren.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the Honorable Nels Hemstad and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fifty-Second Legislative Assembly, and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives be transmitted to the surviving members of Representative Nels Hemstad's family and that an original copy of this memorial be filed with the Montana Historical Society.

IN MEMORIAM - PAT GESEK

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fifty-Second Legislative Assembly of the State of Montana record the passing of **Pat Gesek** on March 28, 1989 in Whitefish, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Pat Gesek be filed on the official records of this Assembly and the following facts relative to her career are hereby noted:

Patricia Wedgewood Gesek was born on July 1, 1931 in Missoula, Montana. She graduated from Missoula County High School with the class of 1949 and attended the University of Montana. She married Robert Gesek in 1950 in Columbia Falls, where they made their home until 1970, when the family moved to Whitefish.

In 1961, Pat began operating Whitefish Electric with her husband. In later years she owned and operated two small businesses, Accents By Pat and The Balloon Depot.

Representative Gesek was elected to the Montana House of Representatives in 1979, and she served until 1981 as a Democrat from Flathead County. Montana Governor Tom Judge appointed Pat to the Blue Ribbon Mental Health Commission.

Pat spent many years as a volunteer in community service, working with civic groups and childrens' activities. She was an active member of the Flathead County Democratic Women's Club, the Whitefish Soroptimist Club, and St. Charles Catholic Church.

Representative Pat Gesek is survived by her husband Bob of Whitefish, sons Michael Gesek and Bob Gesek; three daughters, Diane Delaney, Patty Baker, and JoAnne Gesek; and eight grandchildren.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the Honorable Pat Gesek and extend to the members of her family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fifty-Second Legislative

Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives, be transmitted to the surviving members of Representative Geseks' family and that an original copy of this memorial be filed with the Montana Historical Society.

IN MEMORIAM - RAY LOMAN

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fifty-Second Legislative Assembly of the State of Montana record the passing of **Ray Loman** on March 8, 1990 in Seattle, Washington.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Loman be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Representative Ray Loman was born on July 15, 1921 in Missoula, Montana. He moved with his family to Ronan in 1930 when his parents bought the Ronan Pioneer. He graduated from Ronan High School in 1938 and enlisted in the United States Navy in 1942.
He and Audrey Eder were married in 1947.

Ray graduated from the University of Montana in 1950 and was publisher and editor of the Pioneer until 1971. During his tenure the paper was extremely active in Ronan's community affairs and was a leader in innovative typographical designs. Ray was president of the Montana Press Association and served many years on its executive and legislative committees.

Representative Ray Loman was elected to the Montana House of Representatives in 1958. He served four terms between 1959 and 1965 as a Lake County Republican. He was president of the Ronan Chamber of Commerce and the Lions Club. For many years Ray headed the Upper Columbia Development Council, which led the fight against the Paradise and Knowles dams, and he participated in water development councils throughout the state of Montana.

Ray Loman and Alice Hazen were married in 1971. They moved to Seattle, where he worked for the Seattle Post-Intelligencer and the Seattle Times.

Representative Loman is survived by his wife Alice, of Seattle, Washington; six children, Roy Loman, Linda Loman, Merle Loman, Richard Hazen, Pam Hazen, John Hazen; and thirteen grandchildren.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the Honorable Ray Loman and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fifty-second Legislative Assembly, and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives, be transmitted to the surviving members of Representative Loman's family and that an original copy of this memorial be filed with the Montana Historical Society.

IN MEMORIAM - WILLIAM "BILL" BAETH

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fifty-Second Legislative Assembly of the State of Montana record the passing of **William "Bill" Baeth** on September 25, 1988 in Libby, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Bill Baeth be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Representative Bill Baeth was born on July 2, 1909 in Malta, and he moved with his family to Warland, Montana in 1923, and then to Libby in 1926. After he graduated from Libby High School, like many young men at that time Baeth signed up with the Civilian Conservation Corps, where he worked for two years. In 1935 he began a 39 year career with the J. Neils Lumber Company and St. Regis Paper Company, retiring in 1974. He and Erma Hill were married on December 11, 1952. They have five daughters and four sons, 15 grandchildren and 12 great-grandchildren.

William Baeth was elected to the Montana House of Representatives as a Lincoln County Democrat in 1966. He served seven sessions in the Legislature. He was a member of the House Highway and Transportation, State Administration, and Judicial Committees.

In addition to his legislative service, Bill's community service included terms as an alderman on the Libby City Council and as a member of the Board of Directors of Recovery Northwest. He was the treasurer of the Lumber and Sawmill Workers Local 2581 for sixteen years, coached Little League and Babe Ruth Baseball for ten years and was a member of the Board of the Libby Community Center.

Representative Bill Baeth is survived by five daughters, Carla Fletcher, Dianne Johnson, Becky Baeth, Roberta Brester and Anita Funk and four sons, William Baeth, David Hill, Dennis Hill and Steven Hill.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the Honorable William "Bill" Baeth and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fifty-Second Legislative Assembly, and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives be transmitted to the surviving members of Representative Baeth's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

Hal Harper
Speaker of the House

Joyce Andrus
Chief Clerk of the House

Ervin Davis
Chairman, Memorial Committee

Mary Lou Peterson
Memorial Committee

Russell Fagg
Memorial Committee

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